104

THE UNITED NATIONS, NATO AND THE FORMER YUGOSLAVIA

Y 4.SE 2:104-1-5

The United Nations, NATO and the Fo...

HEARING

BEFORE THE

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

APRIL 6, 1995

Printed for the use of the
Commission on Security and Cooperation in Europe
[CSCE 104–1–5]

SEP 26 1995

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CONTENTS

OPENING STATEMENTS

	Page
Chairman Christopher H. Smith	1
Hon. Steny H. Hoyer	3
Hon. Frank R. Wolf	4
Hon. Benjamin L. Cardin	5

WITNESSES

Ambassador Richard C. Holbrooke, Assistant Secretary of State	6
Dr. John R. Lampe, Director, East European Studies, Woodrow Wilson International Center for Scholars	20
Mr. Stephen W. Walker, Program Director, Action Council for Peace in the Balkans	25

APPENDIX

Chairman Christopher H. Smith, prepared statement	35
Hon. Alfonse D'Amato, Co-Chairman, prepared statement	37
Hon. Steny H. Hoyer, Commissioner, prepared statement	40
Ambassador Richard C. Holbrooke, Assistant Secretary of State for European and Canadian Affairs, prepared statement	42
Dr. John R. Lampe, Director, East European Studies, Woodrow Wilson International Center for Scholars, prepared statement	49
"Military Forces in Bosnia: Origins and Prospects," by James Gow, submitted for the Record by Dr. John R. Lampe	59
"The U.S. and Bosnia—The Challenge Continues," by Warren Zimmerman, submitted for the Record by Dr. John R. Lampe	64
Mr. Stephen W. Walker, Program Director, Action Council for Peace in the Balkans, prepared statement	68
Statement and Materials Submitted for the Record by Dr. Peter Sarcevic, Ambassador to the United States from the Republic of Croatia	73
Letter to Representative Christopher Smith from Muhammed Sacirbey, Ambassador and Permanent Representative of Bosnia-Herzegovina to the United Nations	89

THE UNITED NATIONS, NATO, AND THE FORMER YUGOSLAVIA

THURSDAY, APRIL 6, 1995

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
Washington, DC.

The Commission convened in room 2261, Rayburn House Office Building, at 10 a.m., Hon. Christopher H. Smith, Chairman, presiding.

Present: Hon. Christopher H. Smith, Chairman; Hon. Frank Wolf; Hon. Matthew Salmon; Hon. Steny Hoyer; Hon. Frank Wolfe; Hon. William Richardson; and Hon. Benjamin L. Cardin.

Witnesses present: Ambassador Richard C. Holbrooke; Dr. John R. Lampe; and Mr. Stephen W. Walker.

OPENING STATEMENT OF CHAIRMAN CHRISTOPHER H. SMITH

Chairman SMITH. The hearing will come to order.

Today, the Helsinki Commission focuses its attention on policy questions regarding the former Yugoslavia, and specifically issues surrounding the international presence there. U.N. peacekeeping efforts in Bosnia-Herzegovina, Croatia and Macedonia, and NATO assistance to U.N. efforts, are of utmost importance. Efforts of other organizations merit attention as well.

We hold this hearing on the third anniversary of what is generally accepted as the beginning of the war in Bosnia. On the one hand, it does seem like this war, with the constant reports of senseless acts of hatred against innocent people, has gone on forever. On the other hand, when the war began, no one imagined it would get as bad as it subsequently did, or that the international community would allow it to continue this way for so long.

We have before us Assistant Secretary of State Richard Holbrooke to discuss the realistic prospects for a just peace in light of the new U.N. mandates for peacekeeping.

Today's hearing comes on the heels of another Commission hearing where the evidence of genocide in Bosnia was discussed. Two days ago, we heard from four experts, and their testimony was compelling to say the least. Despite the absence of the smoking gun like the files left by the Nazis documenting the Holocaust, what has happened in Bosnia is genocide, without a doubt. The systematic way the Bosnian genocide has been carried out and the openness with which the concentration and rape camps have operated leave no question of its orchestrated nature. We also learned that,

with mass executions, documented by grave sites, the genocide extended into Croatia. Each victim has a dramatic and tragic account to relate, but the dry statistics—200,000 killed, 800 prison camps with at least 500,000 prisons, over 50,000 torture victims, 151 mass graves with five to 3,000 bodies in each and over 20,000 rape victims—were sobering in themselves.

As you know, Mr. Ambassador, the State Department Human Rights Report refers to genocide in Bosnia. If this is genocide, then we have a definite moral and legal issue in our policy debates: the obligation of the United States and the international community to try to stop genocide from occurring. In my view, our national interest in deterring nationalist aggression will only confirm the need for decisive action by the international community.

One thing this Commission has learned in its 16 hearings on the former Yugoslavia since the conflict began there in 1991 is that the conflict could have been stopped. Witness after witness, with experience on the ground, has told the Helsinki Commission that credible military threats continually caused the Serb militants to back off and to be more cooperative. I remember Mr. Hoyer and Senator DeConcini convened a meeting with President Izetbegovic, at which time he said that when the threat was raised in a credible way as to the use of air strikes, the Serbs backed down. Had they faced international resolve during both the Bush and the early Clinton Administration, we would not be having this hearing today. Opportunities were lost, one after another, as our ultimatums were revealed to be only political bluffs.

This Commission, ladies and gentlemen, does not say this only after the fact, like a Monday-morning quarterback. From the beginning, we've called for strong action to get humanitarian aid convoys through the lines, no matter what, to stop the bombardment of large and vulnerable citizen centers, to stop the war. We always met with opposition. And now our government and those of Europe seem to suggest that the damage done to Bosnia has been so great that the reestablishment of a unified multi-ethnic state is at best a dream. Even a 51/49 split is out of reach. Military options are now riskier. What concerns me is that the same officials who now find it too late to act had other excuses when it was not too late to act. One can conclude that at least some of them simply never had the courage to act in the first place, or they did not care about genocide, or they did not have the foresight to see how American interests were affected by all of this.

To be clear, I do not oppose finding solutions to problems at a negotiating table, but the parties involved should be given no choice but to find solutions at the table and not from the hills surrounding defenseless Bosnian towns and cities. No parameters for acceptable behavior were established and upheld, and negotiations continue to be a dismal failure. And what frustrates me most is that governments, and European governments in particular, are unwilling to acknowledge their incredible error and to change course.

It is with some regret that I have to express these views before our State Department witness today, Ambassador Holbrooke, who has shown a personal interest in getting something done in the Balkans and who enunciates his views with an admirably prin-

cipled tone and unusual degree of frankness. It is hard to combine these two traits in presenting official policy.

I want to highlight, in particular, the seriousness with which Assistant Secretary Holbrooke has pursued the development of the Bosnian Federation which, perhaps along with the Sarajevo ultimatum of February 1994, is the most innovative and positive effort undertaken by the Clinton Administration in Bosnia. While I question the viability of the Federation absent a real response to Serb aggression, I see no choice but to move forward with the Federation as best we can.

I would like to, at this point, ask the very distinguished ranking House Member of the Helsinki Commission, Mr. Hoyer, if he has any opening remarks.

OPENING STATEMENT OF HON. STENY H. HOYER

Commissioner HOYER. Thank you very much, Mr. Chairman.

Ambassador Holbrooke, I want to join Chairman Smith in welcoming you to the hearing and I thank him for scheduling this series of hearings.

Bosnia, in my opinion and as witnesses have discussed, is a genocide disguised as a war. The international community has been beaten back by the Serb militants in what has become a game of bluff. The Serb militants clearly escalate the violence, or threaten to do so, because they know we are unwilling to escalate the response. Our threats against them lack the credibility they may once have had. Officials directing United Nations and NATO efforts have failed not only to stop vicious Serb aggressions, but also even to enforce their own Security Council resolutions. Instead, they've resorted to mutual recriminations, twisted explanations, and even blaming the victims for their fate.

As we meet here today, Serb gunners are pounding away with renewed vigor and impunity at Bihac, a so-called "safe haven." The mightiest military powers in history have declared Bihac a safe haven. No one in this room or anywhere in the world believes that Bihac is a safe haven. These are not safe areas. They are ghettos held hostage by unrelenting Serb aggression.

Last summer, the Contact Group offered the Bosnian government and the Serb militants a plan on a take-it-or-leave-it basis with a deadline for an unconditional answer, and warnings of repercussions for any side rejecting it. How often does the international community have to learn the lesson that setting deadlines, announcing reactions, letting deadlines and reactions go by without any action—how many times do we have to learn the lesson that that simply inflames the aggressor? The militants effectively rejected it. The sanctions were then eased in Serbia in response. The deadline for Bosnian Serb acceptance was extended indefinitely. At present, there seems to be no action under consideration for making the Bosnian Serbs relinquish any territory taken by terrorism, genocide, and aggression.

Mr. Secretary, I'm sure you'll have comments on it. I'll be interested to hear them.

Gestures to Milosevic have not worked, yet more gestures are being considered. I am hard-pressed to call this anything but appeasement in the worst sense of that term. As Chairman Smith

said at our January hearing on Bosnia, through all the complexities of the Balkans that we must consider, one generic fact remains: the aggressor is being rewarded. And when you reward the aggressor, history shows us you get more aggression. The U.S. Congress is on record in support of lifting the arms embargo to enable the people of Bosnia to defend themselves against aggression and genocide. Recognizing the right of self-defense is the minimum in my opinion that must be granted to the victims of this vicious aggression. NATO and the United Nations must enforce their own declarations to retaliate against the continuing attacks on the designated safe areas.

I mentioned the mightiest nations. NATO itself is probably the most successful, mightiest military alliance forged. It was not tested as the alliance was during the Second World War, and perhaps that means it was mightier than that which had to be tested. The fact of the matter is, the failures in Yugoslavia have been probably the biggest test and one of the most threatening aspects to NATO in its history. It is obviously divided, the allies among themselves, and has clearly portrayed NATO as, in some respects, unable or unwilling to enforce its own policies.

If we continue this seemingly endless spiral of inaction, idle talk and sliding deadlines, we can be virtually assured, Mr. Secretary, that there will be only more aggression, more genocide, more human misery, more families displaced, more ethnic cleansing, more rape, and more pillage. In short, more evidence that a new world order is not at hand.

I look forward to hearing your testimony, Mr. Secretary. I share the Chairman's view that you have been speaking forthrightly and I know are committed to moving this issue forward.

Chairman SMITH. Thank you very much, Mr. Hoyer.

Commissioner Wolf?

OPENING STATEMENT OF HON. FRANK R. WOLF

Commissioner WOLF. Thank you.

Mr. Ambassador, I want to welcome you. I want to say that I agree with everything Chris and Steny said. I've been there three times. I was in Vukovar with Chris a couple of weeks before Vukovar fell. I was in Sarajevo Airport. Then I've been another time in the east, Mostar.

If you could have been at the hearings the other day—and I don't know if you got a report on them—but the witness went through 200,000 killed, 800 camps, many, many tortured, 20,000 cases of rape. The stories were so brutal. 151 mass graves and they went on and on.

The Bush Administration failed. I mean, General Scowcroft and Larry Eagleburger made a terrible mistake. They're going to have to live with that for the rest of their lives. But in fairness to them, they never made the bold statement that the Clinton Administration made. During the campaign against President Bush in 1992, President Clinton went all over this country and made these statements and raised the hopes and the expectations. So, in fairness to General Scowcroft, they never did. They were always cautious. So, while you can be very critical of them, of the Clinton Adminis-

tration you have to be more so because they never promised and you all did.

Many have died and many more will continue to die. This type of aggression can never end just through peace talks and negotiations. The Serbs, in their effort to gain more land and do this, as the witness the other day pointed out, they could have taken the territory. But it's ethnic cleansing. We have Schindler's List taking place currently today, in 1995, in an era that we would have thought never would have ever taken place.

Since you're new on the job, none of what I'm saying really goes to you. But I think what Mr. Hoyer said, unless we're prepared to take some bold action, the least we ought to do is lift the arms embargo. If I were there with my family and you wouldn't give me the means to defend myself, then the guilt would be on you. We have the obligation to lift the arms embargo.

We have never shot down a Serbian plane. We have never. We've had the no-fly zone. We watch their helicopters going from Point A to Point B and we have never shot down a Serbian plane. The Muslims have made it clear. They do not want American servicemen and women there. They don't even want Western forces there. They just asked to lift the arms embargo.

I think, at a minimum, if what you're trying to do and we pray—and let me just say too, every night I pray for this country. I pray for the people of the country. They're good Serbs. They're good Croats and they're good Muslims. But I pray that there is peace. But if it doesn't come through what you're trying to do, I hope you have in your mind some period, some time factor, like 2 or 3 months. Something there that if it doesn't work out, that you are then prepared to have the United States step out and take some bold actions, and at a minimum, lift the arms embargo.

I just welcome you. I think you are a breath of fresh air. You are new on this. You don't carry the burdens of the past. Hopefully, you'll be able to do something. I think, frankly, I'm going to feel guilty, everyone will feel guilty five, 10, 15, 20 years from now. When historians go back in and dig this thing out, they're going to say, "Where was the United States and where was the West?" I think it will be on the conscience of everyone. But we appreciate having you here today.

Chairman SMITH. Thank you, Mr. Wolf.

Mr. Cardin?

OPENING STATEMENT OF HON. BENJAMIN L. CARDIN

Commissioner CARDIN. Thank you, Mr. Chairman, and thank you for holding these hearings.

I concur with the comments that have been made by my fellow Commissioners, and I welcome Ambassador Holbrooke to our Committee. I look forward to your testimony.

There is clear bipartisan support for the United States to lift the arms embargo, for the United States to take a leadership role in bringing an end to the genocide that is occurring in that part of the world and to bring about more lasting arrangements for peace. Also, I might add that at a hearing, held earlier this week, it was very clear that the United States must take a much stronger role

in the work of the Tribunal to make sure that those who have committed these heinous crimes are held accountable for their actions.

I, along with many other Commission members, have had an opportunity to visit Sarajevo and have seen, firsthand, the U.N. presence there. I know I speak for our country in expressing our appreciation for the men and women who are serving under the United Nations in that part of the world, doing their best to try to save lives in Bosnia and Croatia.

But I think we also understand the difficulty that the U.N. personnel have in that part of the world. They're really just a placeholder, waiting for us to develop a policy and stick to a policy that gives a chance for people to be able to survive, live, and prosper in the former Yugoslavia. Unfortunately, the political situation has prevented us from having a clear policy and sticking to a clear policy. I hope that this hearing will provide us and the Members of Congress with some additional information that will help the United States take the leadership role in establishing a plan that will have defensible borders. This would allow the people to live in that part of the world without the ethnic cleansing that has already taken place and would prevent such ethnic cleansing from reoccurring. We must find a way of peace. That can only happen with a strong U.S. role.

I look forward to your testimony.

Chairman SMITH. Thank you, Mr. Cardin.

Ambassador Holbrooke, your full statement will be made a part of the record, but you may proceed as you would like.

TESTIMONY OF AMBASSADOR RICHARD C. HOLBROOKE

Ambassador HOLBROOKE. Thank you, Mr. Chairman.

It's a very great honor to appear before the Commission on Security and Cooperation in Europe. I admire you and your colleagues, including those not here. I admire this Commission for pursuing, as the Administration does, the same vision in Europe.

I have a statement which I'd like to submit for the record without reading it, but perhaps make a few comments since this is the first time I've been invited to appear before your Commission.

First of all, let me say that I, too, have a personal commitment as you do. I travelled twice to the region as a private citizen, as a member of the Board of the International Rescue Committee, and spoke out strongly and explicitly on the immoral nature of the arms embargo as a private citizen and continue to hold that view.

I'm very struck by something that Congressman Wolf said in a very gracious comment about me, which I welcome and am grateful for as well as the comments that Congressman Hoyer and Chairman Smith have made. Congressman Wolf said that because I am new to the job, or relatively new, I'm not burdened by the past. Were that to be true, Congressman. We're all burdened by the past. I don't dispute your historical statements about the last few years. In fact, I share them completely. History will judge the Western response to the break-up of Yugoslavia as the greatest collective security failure of the West since 1938, with consequences that continue.

But that past is a burden for us now. It significantly constrains us. I think that everyone, including the two people you mentioned,

Brent Scowcroft and Larry Eagleburger—who are both friends of mine. I've worked with them for years. I admire their public service. I agree with your characterization of the anguish that I think they feel. I think they, like the rest of their colleagues in the previous Administration would, if they could revisit history, do it differently. I think that this Administration revisiting history would probably do some things differently.

The problem is, it is now April 1995. We have just spent the last month averting a rock slide in Croatia which would have consumed all of southeastern Europe. The negotiation that we conducted with President Tudjman, in which Vice President Gore and I concluded an agreement with him, averted that third Balkan war that we've all dreaded. Now, we begin April with the 4-month cease-fire which has not been a cease-fire at all in Bihac and has been violated constantly in other parts of Bosnia, on the brink of total collapse. Averting a war in Croatia was very difficult. It was a near run thing and it's something that I think we can say represented real American leadership. But averting the return to war in Bosnia will be more difficult.

That is going to be our goal in the next few weeks. We've taken certain steps already to try to extend the cease-fire, but the Bosnian government does not wish to extend it, at least explicitly, for very understandable reasons. And so the people don't misunderstand this, I want to explain the Bosnian position even though we would like the cease-fire extended. The Bosnians never agreed to an indefinite cease-fire because they believe that it would legitimize forever the 70/30 division of a country which now exists between them and the Bosnian Serbs. The phrase they often use is "Cyprusization" to describe the way Cyprus was divided first on the basis of a cease-fire line, and now 21 years later, a hard Berlin Wall across the middle of Cyprus. They don't want that.

So, when the 4-month cease-fire was negotiated with assistance from Jimmy Carter at the end of December, it was the Bosnian Serbs, revealingly enough, who offered an indefinite cease-fire. It was the government in Sarajevo that said very limited in duration, and finally, 4 months was the arrangement. Now, those 4 months are running out. The Bosnian Serbs have refused categorically to accept the Contact Group plan as the starting point for negotiation.

Milosevic, the man who, in my view, bears the greatest responsibility for starting the war, found that his goals were satisfied by the summer of last year. So, he accepted the Contact Group plan. President Tudjman has accepted it. The Bosnian government, somewhat reluctantly, accepted it. In early January, we sent the Contact Group up the hill from Sarajevo to Pale three times to give Karadzic and the Pale Serbs a chance to accept this plan. They refused. After three trips, we concluded that it was a waste of time and worse than that, that Karadzic misunderstood the trips as a sign of our weakness or desperation. So, we terminated negotiations with Karadzic again.

He knows our phone number. He can pick up the phone any time he wants and buy himself a place at the table for the discussion of the future and peaceful resolution of Bosnia by simply doing what Izetbegovic, Tudjman and even Milosevic have already done.

I call on him again today to do so, but we are not going up the hill to beg him. He has the plan. We're not going to change it.

As for the present situation, all of you gentlemen have just called for time limits and strong action against the Serbs. I share that view. I share that goal. But we face a practical dilemma, one that is a direct result of the history that Congressman Wolf referred to earlier. That is this. Whatever everyone thinks of the British and French, Canadian, Dutch, and Danish positions on the diplomatic fronts, the fact is that these NATO allies have troops on the ground, men and women who face tremendous risks. The Dutch are in Srebrenica. The British are in Gorazde. These are hell holes and they are going to get more dangerous as winter ends. When we advocate military action against the Serbs using NATO air power, something I strongly favor, they come back to us and say, "Well, you don't have forces on the ground. If we accept your proposal to use NATO force, it's our people, not yours, who are going to be in jeopardy in the counterattack which inevitably will come."

Now, we can say, "It won't come." We can say, "We'll call the Serbs' bluff." I personally believe that to be the case, but it's the British and French who have the troops on the ground. And so, they have a different view of the use of force than we do. It is an unbalanced situation. I have said before, and I repeat again today, that the dual key arrangement between NATO and the United Nations is a terrible idea. Let us never see it again. It took two of the most important organizations in the world. One, as Congressman Hoyer described it, the most important peacetime military alliance in history. The other, the most important world organization in history with incompatible mandates and incompatible missions, and linked them in a way which weakened them both. I hate to see that ever again. I regret deeply the failure to have a collective Western response at the outset, but we didn't have it.

And so, that's where we are today. I tell you frankly, I bring you no optimism today in Bosnia. I'm very positive on Croatia. A major achievement was made at the end of March. New U.N. resolutions had a chance to further isolate the Bosnian Serbs. But on Bosnia itself, we remain on a very dangerous, slippery slope.

Mr. Chairman, I'll be happy to respond to any questions. Perhaps more importantly, given the fact that you and your colleagues represent an unusual and admirable group of committed and concerned people, I'd be very interested in your suggestions as well. We may differ on a few tactical points such as the Dole amendment on unilateral lift, but I hope you will accept my statement at the outset that I share your goals and your moral values here completely. We are working toward the same goals, although we may differ on how strong the tools are we have to use.

Chairman SMITH. Mr. Ambassador, thank you for your testimony.

Just for the record, let me remind you that on the House side, we, too, have legislation pending that would unilaterally lift the arms embargo. It is co-sponsored by a number of members of our Commission and key members of the International Relations Committee. I've introduced that bill and believe very strongly, as was articulated by Mr. Wolf, that we are in a situation that if any of us were in Bosnia with our families and were denied the means to

protect ourselves, I think the sense of frustration and outrage would be almost unbearable.

Ambassador HOLBROOKE. Can I just make a very brief comment on that, Mr. Chairman?

Chairman SMITH. Please, do.

Ambassador HOLBROOKE. Like you, I visited the refugee camps. I've talked to the men who were in the prison camps at places like Prijedor and heard them say they want to defend their land and return to it. They should be able to do so.

I would like to point out for the record that the Bosnian army is stronger today than it was 6 months ago. The 4-month respite has given them a chance to improve their military situation, operationally, training, organizationally, and in terms of equipment, none of which comes from the United States because we are not violating the arms embargo. But we are not using any American assets to enforce it as a result of the so-called Nunn-Mitchell Amendment.

The problem with a unilateral lifting of the arms embargo is as follows: the British and French have said flatly they will leave. If they leave—and one must accept it. John Major repeated this to the President on Tuesday at our private lunch. If the British and the French and the other major U.N. troop contributing countries leave—and the Canadians and the Dutch, and the Danes have also said they'll leave—if they leave, the vacuum that results will be filled very rapidly by the Serbs unless, as part of the lift, the United States is prepared to lead in a massive and immediate support, supply of the Bosnian government.

Now, in the legislation proposed in the other chamber by Senator Dole, he explicitly states in his last sentence that this resolution does not in any way authorize such equipment. At the request of the Congress last year, the Pentagon staffed out three options for support of the Bosnian government, high, low and middle. The low option, the low option, is close to a billion dollars. I submit to you as a person who shares all the values you and your colleagues have articulated that if a person supports lifting the arms embargo, that person should also be prepared to deal with the consequences of that action which will mean that whatever happens will be our responsibility. Therefore, lift must be accompanied—by anyone who advocates lift—by massive support. Is the United States' public, is the Congress ready to support that?

This is a very serious question, Mr. Chairman. Some of the supporters of lift amendments have said that the Pentagon figures are artificially inflated. I don't think so. In any case, it is a substantial amount of resources, and getting it there fast would be extremely important. So, there are practical reasons to wonder whether a unilateral lifting of the arms embargo would actually help the people we're trying to help.

Chairman SMITH. I've posed that very question to the Bosnian government, and specifically asked Dr. Silajdzic, the Bosnian Prime Minister. He responded in a way that I think was extremely persuasive. He said that it is not the goodwill of the Serbs or Bosnian Serbs that have prevented them from continuing or expanding their slaughter. It has been the growing capability of the Bosnian military, which has to procure its weapons through a multiple of

clandestine ways in order to defend their country. And that's the deterrent. If the Bosnians did not have their army, they would be overridden, and we would be standing idly by, perhaps, watching a slaughter even worse than what is occurring today.

So they categorically reject, as a sovereign nation, that notion that it will require U.S. troops. Yes, it will require munitions——

Ambassador HOLBROOKE. I never said U.S. troops.

Chairman SMITH. I know, but I don't want that implication or that suggestion to be out there. We're talking about massive supplies. And I think when you're talking about 200,000 people killed, the 20,000 rapes and all of the other horrible things that have happened, that kind of financial commitment is something this member of Congress, and I think many other members, would gladly support, particularly when the stark alternative faces us that the bloodshed would continue unabated.

I do have a couple of questions, and then I'll yield to my colleagues for questions that they might have.

As you know, a request was made on March 17th to you, asking that the United States join the government of Bosnia in action against Serbia and Montenegro with regards to the Genocide Convention. I was wondering if our government has responded to that request, and whether or not we plan on joining them?

Second, during our hearing a couple of days ago, Cherif Bassiouni made a very, very compelling assertion that, as they were compiling information leading towards pointing the finger at higher-ups in Serbia, all of a sudden his mandate came to a grinding halt. Funding was not to be found, and it is the belief of many that our government has information—the CIA perhaps has it, maybe others—that would directly implicate or at least show that very high officials in Serbia are responsible for this genocide.

Will we, as a government, release that information, make it available to the public? Of course, sources and methods will be protected, but the information could, perhaps, aid in the prosecution of these people. You might recall, as we all recall, that Larry Eagleburger made some very strong statements in terms of war criminals as he was leaving the State Department, directly implicating people like Milosevic.

Ambassador HOLBROOKE. As he was leaving.

Chairman SMITH. As he was leaving. We all know when journalists often leave a hostile government like Beijing or some other governments, that they write their greatest exposés as to what's going on human rights-wise because they know they're not going to get back in.

But if there is truth to the fact—and that's the point, if there's truth to it—that these higher-ups are responsible for these terrible crimes, I think we have a duty and a moral obligation to release that information and to use it to prosecute.

Ambassador HOLBROOKE. I'm really not aware of any cover-up of information on this. But having lived through other circumstances where these things can happen inside the bureaucracy, let me go back and double-check. I have been briefed extensively by the CIA on what they know about these things. They've added nothing significant to what any intelligent observer traveling through the region can pick up, except specific details.

The famous CIA study that was front page in the New York Times a few weeks ago is a useful study, but not for people like you who have been on the ground. It's aerial photographs which make clear from the air what you saw from the ground. I told another committee of the House that I would ask the CIA to make that available to Members of the Congress. I believe that has either already been done or is in the process of being done. But you gentlemen will not learn anything from it.

We will go back and double-check. Mr. Smith, I would welcome any specifics you could share with me privately, afterwards, that I can look whether or not there's some information that has been withheld. But even if there has, it's only going to add detail to what we already know.

As for the March 17th genocide proposal, to the best of my knowledge—and I'd like to have the option of updating if I'm out of date because I've been on a very intense set of issues, not related specifically to this over the last few days. We are considering this seriously, but we haven't formulated a final position. But let me check because I may be a little out of date. We've had a problem with the Turks this week. The British Prime Minister has been in town, and other aspects of the Bosnian Croatian situation have been very time-consuming also.

Chairman SMITH. We appreciate that. And again, the information that our government may have about the commission of these crimes is really necessary, I think, in the——

Ambassador HOLBROOKE. Absolutely.

Chairman SMITH [continuing]. Actual gathering of the facts to bring effective prosecution.

Ambassador HOLBROOKE. You're talking about the War Crimes Tribunal?

Chairman SMITH. Yes, yes.

Ambassador HOLBROOKE. We are a strong supporter of that. I don't think without us, it would have reached the level it has been at. The Germans have begun to clear the way for very important actions because some of these people are on German soil. You may have seen the article in the New York Times the other day that the Germans will have the first trials on this since Nuremberg. We will pursue it very vigorously.

Chairman SMITH. There have been suggestions that we have not put enough money into this.

Ambassador HOLBROOKE. There is a funding argument going on of the traditional—and I find very distressing—variety over whether the money should come out of existing funds or be supplemental. Because of the budgetary pressures we're under, we're advocating that they come out of existing funds.

Chairman SMITH. Well, let me just say that I want to work with you. I'm chairman of the International Operations subcommittee.

Ambassador HOLBROOKE. I know you are.

Chairman SMITH. And you know, I know for a fact that members of that subcommittee—like Tom Lantos, the ranking member—are very much committed to this. Whatever it takes we will pledge, and I think we'll have no problems getting it through our committee, Congress. So, know that there's a tremendous amount of support for the maximum commitment on this.

Ambassador HOLBROOKE. Well, Mr. Chairman, as you know well, I believe—and my information may be incomplete here, but as you know well, wearing your other hat, the issue is some $37 million, if my memory is correct, that has to either be funded from existing funds, which means something else has to go, or else be added. We are taking the position that it comes from existing funds, I think in consultation with you and your staff and your colleagues. That is a problem I'm sure we can solve.

This is a larger point. I personally think we are weakening our foreign policy overall by failing to put the kind of resources behind that were historically part of our foreign policy. I feel that in Bosnia. I feel that throughout southeastern Europe and the former Warsaw Pact countries. I feel that every time I see an argument over things like the $10 million for the Baltic Peacekeeping Battalion, pledged publicly by President Clinton in Riga last summer. Yet, we're still trying to figure out how to fund it. Do we steal from one account and if so, what has to give?

Haiti had a lot to do with this pressure, as you well know, Mr. Chairman. This $37 million, if it comes from other programs, something else is going to give which someone else will consider important. But this is a larger issue. It goes beyond the things we're here to discuss today. On this issue, you know we'll solve it. There's no question it will be solved. The question is the larger one. I'm happy to work with you to seek solution of that.

Chairman SMITH. Thank you.

Mr. Hoyer?

Commissioner HOYER. Mr. Secretary, you have indicated, and clearly all of us know, that this is a very complicated issue in terms of troops on the ground and the feelings of the French and the English, in particular, and the other nations on the ground.

Mr. Silajdzic has testified before this Commission four, five, six times at least, both as Foreign Minister and as Prime Minister. He has maintained consistently a public posture that if the troops on the ground were not going to take action, particularly the action that they had said that they would take in consequence of Serbian aggression, against UNPROFOR forces, and if they were not going to take action to alleviate the carnage, that they were masking the carnage. That there was a pretense, that there was a rationalization that we have troops on the ground. You indicated if they left, there would be a vacuum and the only thing that could intervene at that point in time would be massive U.S. logistical air power equipment.

When you talk to Mr. Silajdzic in private, obviously, he is in conflict as anybody would be because he realizes the problem you have just stated. That there would be a vacuum and the Serbs would try to fill it very quickly. The issue would be could the Bosnians get up to speed to meet that onslaught in the short-term? I don't know the answer to that question.

Could you comment a little further on the fact that it does appear to many of us that the presence on the ground, an UNPROFOR presence, has, in fact, given the world an excuse to not take further action which would alleviate or prevent——

Ambassador HOLBROOKE. Your question, Mr. Congressman, is whether the presence of the U.N. on the ground——

Commissioner HOYER. Yes, I'd like your observations.

The point Silajdzic makes is that the presence of UNPROFOR has given the West an excuse not to do something further.

Ambassador HOLBROOKE. Well, I think that's a legitimate observation.

Commissioner HOYER. And that UNPROFOR really hasn't alleviated the problem.

Ambassador HOLBROOKE. That's a legitimate observation from his point of view. He is in conflict. Why wouldn't he be? Like all of us in this room, he wants the arms embargo lifted, but he's not certain anymore, particularly after his last trip to Washington in January, that the lifting of the arms embargo would be accompanied by the goods.

Absent the goods, a vote for lifting the arms embargo by a person who isn't willing to then vote significant amount of assistance is, in my view, an irresponsible vote. Because it leaves people in the position—I've often talked about Budapest 1956—of starting a fight, expecting reinforcements. I'm not talking about U.S. troops. I'm talking about equipment or ammunition, and they don't get it. And since, as you and Mr. Smith have both said, the Bosnians are clearly militarily in better shape now than they were 6 months ago, it's a very difficult equation for them.

By the way, I know Haris Silajdzic well. I have great respect for him. He represents his country with eloquence and courage. He deserves our admiration. He is in an extremely tough position. He will never stop calling publicly for the lifting of the arms embargo because to stop calling for its lifting would be to imply that it has a moral basis and it does not. It never should have been approved, that U.N. resolution.

In retrospect, a U.N. force that went in—well, let me make two points about the U.N. force, Mr. Hoyer.

No. 1, its existing mandate is not being fulfilled. I want to stress that. They are authorized to use force to get humanitarian relief through. They don't do that. However, even if it fulfilled its existing mandate with the use of force to get humanitarian things through, they are not—and this is a point I must concede to General Rose and his colleagues, a point they make to every visitor. They were not sent in to take sides. Twice in the United Nations' history—Korea in 1950 and Iraq-Kuwait in 1990, 1991—the U.N. voted to take sides militarily. They didn't do that in Bosnia, and a lot of people thought they did.

Therein lay a huge misunderstanding, a colossal mistake. And of course, what you've just said is correct. Because of the confusion about what the U.N. is there for, and because they're only equipped to do one job—a job they don't even do adequately—but there was an expectation in the public's eye they would do more. And because the U.S. taxpayer, although we have no American military involved, is paying 31 percent, roughly—the number is going to go down—of that bill. There is an understandable confusion about it.

If I could redesign the whole thing from scratch, I would have gone the other way. But here we are, again, as I said earlier, April 1995 with a U.N. force that is not strong enough or structured enough or given a mission to accomplish what you want, and yet whose withdrawal would lead to a vacuum and an implosion.

Now, let me make one other point. For all the horrors of the situation in Bosnia, I would submit to you that the situation is better today than it was 13 or 14 months ago. 13 or 14 months ago, Croats and Muslims were killing each other in Mostar. One of you mentioned earlier, I think it was Mr. Wolf, you've been in Mostar in the last year.

Have you been there in the last year?

Commissioner WOLF. I was there during the siege. In fact, the International Rescue people——

Ambassador HOLBROOKE. So, you have seen, as I have—and you also were in Vukovar—the breathtaking savagery of that fighting. And that wasn't Serbs. That was Croats and Muslims while the Serbs sat on those hills above the river, watching and presumably laughing.

You, Mr. Smith, mentioned the Federation earlier as a singular American success. I have spent a great deal of time in the last 6 months trying to strengthen the Federation because I believe, first of all, if it collapses, it's over. And second, that it is a house with only a roof right now. This week, we appointed, finally, a military officer, a retired general, John Sewall, the vice director of the National Defense University—personally selected by General Shalikishvili with whom he is very closely associated—to go to Sarajevo on a commuting basis. He's going to remain as vice director of the NDU, and give us and the Croats and the Muslims advice on how to make the Federation real at a viable level. This took us much too long. We went through several other retired generals before we found one who was right for the job.

Last month, Secretary Christopher picked a close, personal friend and more importantly, one of the most distinguished lawyers in the United States, Roberts Owen, former legal advisor under Secretary Vance to the State Department, to be the arbitrator of disputes between the Croats and the Muslims. On March 16th, we announced on the first anniversary of the Federation, the Friends of the Federation, an international organization which is, in effect, a permanent pledging organization to raise money for the Federation.

I wish we could devote more resource to the Federation, but again, budgetary constraints limit it. But Mr. Hoyer, I submit to you and your colleagues that, bad as the situation is, with the important exception of Bihac, there is less fighting on the ground today than there has been at any time in the past. There is less of the horrors, the genocide, the ethnic cleansing than there has been in the past. The situation is inherently unstable and we must take action. But at least the level of human suffering is not quite at the horror levels of 1992, 1993, and the early part of 1994. I say that, again, because with the tremendous danger that we're going to slip back into the abyss.

Commissioner HOYER. Mr. Ambassador, I want to yield to my other colleagues. We can talk about this in the future. I'm going over to Copenhagen 2 weeks from today to the meeting of the Standing Committee of the OSCE Parliamentary Assembly. I'll have discussions again with the British delegation and the French delegation who think that I'm far too militant on this issue. But I would like to talk to you before I go.

Ambassador HOLBROOKE. Well, I would urge you not to trim your sails with them. They need to hear the authentic voice of the American people as reflected through the Congress.

Commissioner HOYER. Well, the chances are, I won't do that. Trim my sails, that is.

Ambassador HOLBROOKE. I know. I know you will and I know you won't. I just want to be on the record as encouraging you.

Commissioner HOYER. Thank you, sir.

If the Chairman will allow me, there has been an extraordinary private effort which I understand you have seen. John Jordan, a good friend of mine, is in the room, a fire fighter. You've met him, I believe.

John, where are you? There he is. John has, as you know——

Ambassador HOLBROOKE. He's wearing the same jacket as the last time I saw him.

Commissioner HOYER. Yes. I don't think he gets undressed. He does so much work, I don't think he can ever sleep or do any of that.

But Mr. Secretary, there is a problem with funding of the fire fighting effort in Sarajevo. As you know, the fire chief of Sarajevo was killed about 18 months ago, in that area. There's a crisis in funding. You've talked about funding. I know you indicated that we were going to try to do something, but I think it's getting caught up in the bureaucracy.

I would ask you, sir, this is a small but significant step that we are taking, a lot of private sector initiative. John has been going around getting equipment from all over. John is from your state, I believe.

John, you're from New Jersey, aren't you?

Mr. JORDAN. New York.

Commissioner HOYER. New York. OK, well close.

If you could look at that because the Global Fire and Rescue Services is, I think, a component of the humanitarian effort there.

Ambassador HOLBROOKE. Well, when John Jordan first brought this to my attention a week ago in a meeting at the Smithsonian, I think he was a little surprised when I said I had seen his fire fighters in Sarajevo. I would consider their departure more serious than the withdrawal of our Embassy. They are the most visible presence we have in Sarajevo. It would be a catastrophe.

He said they would withdraw within 2 days unless we took action. We started the action. They haven't withdrawn. My staff is under rather clear orders from me that these people will not leave. It was my understanding that they have found an interim solution and they will definitely find a permanent solution. They will not leave as long as they're willing to stay under these extremely difficult conditions.

We will find the funding. This is not a lot of money and it is the highest-profile thing we do in Sarajevo.

Commissioner HOYER. I appreciate your personal attention to that matter because it is an extraordinary effort. Mr. Jordan himself has been honored by national media for his efforts. I know those of us who know personally about him and the other colleagues that he works with, it is an extraordinary—not well

known, but extraordinary effort and very visible, very important. I appreciate your attention to it.

Thank you, Mr. Chairman.

Chairman SMITH. Thank you.

Mr. Wolf?

Commissioner WOLF. Thank you, Mr. Chairman.

As you were talking, my mind raced to so many things and I jotted them down. Rather than maybe asking a question, to make an impact if I can, because I think that's the important part. One, in Vukovar with the Serbs, the Serbs did the slaughter in Vukovar. The Croats did it in Mostar.

Second, I want to go on the record of commending the UNPROFOR forces. We went in east Mostar with the Spanish. They did an excellent job. So, I think everyone there ought to get a commendation, the British and all of them, because they've done an outstanding job. I'm appreciative of the fact. A lot of them have died. This is not just an activity where no one has died. A lot have died.

I've been concerned that if we don't do anything it could spread into other places, Kosovo, other things. We see what's happening in Chechnya. In Soviet Georgia, there are problems. In Azerbaijan and Nagorno-Karabakh, and I think people kind of watched—all these little dictators watched around the world, what was actually taking place.

Listening to you today—and maybe you're just a good witness—but I feel—no, I mean this, seriously. I care deeply about this issue. I mean, I really do. But I feel a little better. Others have come and frankly, when I would leave, I would just get so frustrated because it just seems like—let me just say that I do feel better with you. I mean, I do feel better.

Ambassador HOLBROOKE. You can have my job if you want it. You'll feel even better.

Commissioner WOLF. No, no. I don't know that I'd be good. I don't know that I'd be good. I think you've probably forgotten more about this than I——

Ambassador HOLBROOKE. Well, I appreciate that.

Commissioner HOYER. We can't afford to lose him here, Mr. Secretary.

Ambassador HOLBROOKE. I'm very grateful, Mr. Wolf.

Commissioner WOLF. I guess there's two points I just did want to make to leave you. Maybe we should give the Bosnian government the choice as to whether to lift also requires the $1 billion. It may require it, and you may be right, and the different people that have looked at it may be right. Then again, it may not. I think that ought to be their choice because it is their children. That young girl that just died the other day if you saw that on—I mean, it's their kids. It's their families. You've seen the cemeteries and you've seen the graves.

I don't know that it's really ours. I don't know what the mood is in the Congress for that kind of money. Frankly, this Congress, in both parties, Republican and Democrat, I'll be glad when the 100 days are over because all we're hearing about is the economic issues. Human rights are kind of forgotten about. Other moral problems we're not going to deal with. Everything is economics. So,

frankly, after we come back in May, hopefully, we'll be able to focus off enterprise zones on to some other things. And both parties haven't been awfully strong when it comes to these areas. So, I don't really know what our attitude would be up here.

Maybe that's really not important for you though. Maybe you ought to just do what's right and kind of give this—I think God has blessed our country. We have special blessings because we fundamentally have done the right thing. Sometimes a little late, sometimes not too late. When I went to the Holocaust Museum—I went over Christmas time. I took my kids. Matt has said that he had been there. My family had been there, and all the kids were home from college and we went down there.

There was the one placard where they talked about the bombing and how they urged them to bomb the concentration camps. There was the argument that it would hurt the people in the camps and the debate went back and forth. It probably would have been better had we bombed the camps because the people in the camps would have welcomed it. It demonstrated that we cared deeply and were willing to do something about it.

So, I guess maybe it isn't our call. You ought not worry what the Congress thinks. You ought to maybe ask the Bosnians and say, "Here's what the choice is. The choice is we lift, and maybe there will be some support and maybe there won't. You make the call. It's your families. It's your land. It's yours." But for us to keep it, as Mr. Hoyer made the comment about the U.N. could be the excuse for non-action, could really result in many, many more deaths.

I do want to thank you for your testimony. I do appreciate it. If there's anything we can do—and I appreciate Mr. Hoyer's work and Mr. Cardin's work and Mr. Smith's work on this issue. Now, Mr. Salmon is very interested. This group really, really does——

If the Administration takes some action, I would probably support it, no matter what you take and no matter what the mood of the country is. Because when I'm 65 or 70 and I'm seated on my porch in my rocking chair, I just don't want my kids to say, "You know, Dad, weren't you in Congress during that period of time? We were in history the other day, or I read an article and they said this went on and the government knew about it. What did you do? Did you do anything?" I want to say "Yes, I did. I tried. Here's what I did. I wanted to and I did this."

If you all decide to do something, regardless of the mood in the country, I will stand by and I will support it. So, just don't let this 3 months or 4 months or 6 months, or 2 months, whatever you've kind of worked in your head, go on too long without something taking place. I have a good feeling with you. I'm glad you're on board and I appreciate it.

I have no questions. I yield back to the Chairman.

Ambassador HOLBROOKE. I'm very grateful for your comments, Mr. Wolf. Let me be very brief, particularly since we're all on very tight time schedules. I'm in great danger now of missing a flight out of town for a speech. But let me respond, first of all.

Mr. Hoyer mentioned Copenhagen. I want to state for all of you, because you're so involved in the CSCE process, that we have been upgrading CSCE. We lead the effort to change the "C" for committee or conference to the "O" for organization. Words do make a dif-

ference. A conference doesn't do things. An organization does. It's not insignificant, although it hasn't changed the horrors of Chechnya, that the Russians have now agreed to an OSCE fact-finding mission in Chechnya. I hope you'll pursue that vigorously in Copenhagen. We think OSCE has an important role in Europe. It's not going to prevent Bosnias unless it gets in early, but it should look at them.

Second, on your point about asking the Bosnians, I think Congressman Hoyer's comments about Prime Minister Silajdzic are very germane. I sensed in what you said, Mr. Hoyer, that you understand very clearly the dilemma that the issue Mr. Wolf raises has posed for Silajdzic, Izetbegovic and his colleagues. It is a very difficult problem. If you say to Silajdzic and company, "We'll lift the embargo, but we're not going to give you anything," then they're going to say "Don't lift it." If you say, "We'll lift the embargo and we'll come to your support"—and President Izetbegovic has said to me, he means NATO, massive NATO support—then they want the embargo lifted. Therein, lies the dilemma which we all understand.

So, I know what the Bosnian answer is to your question. It is they want lift, if it's followed by A, B, C, D. And A, B, C, D are expensive and difficult to obtain. But not beyond reach if there is a collective will. You mentioned the Holocaust Museum and the letter, the famous letter from John McLoy. Of course, we've all read that. To see the original in the Holocaust Museum is a particularly stunning thing. Like you, it's a letter which I think a lot about because a very distinguished career will be forever shadowed by that undeniable piece of evidence.

Like you, I think every morning about what can be done and much of the day, what can be done in Bosnia in the current climate? I must tell you, frankly, that if I could assist in the extension of the cessation of hostilities, period, voluntarily now, even recognizing the fact that it perpetuates an unfair division of the country, I would prefer the continuation of the present non-hostile period relative, with the important exception of Bihac, to the alternative because the resumption of the fighting is not going to result in a military victory for either side. It will only increase the tragedy.

So, that is why in my prepared statement, I said that we think that we ought to pursue diplomatic methods. Now, the problem is, we don't have enough leverage, coercive leverage—with the aggressors here. I don't come here today with a clear-cut solution or a clear-cut strategy for this dilemma we face. I only come here to tell you that we are intensifying our efforts as we speak to find this diplomatic solution that's elusive, but also to extend the cessation of hostilities period. Those of you who have good relations with our friends in the government in Sarajevo, I hope that you would join us in suggesting that while we seek an equitable solution, fair to the Muslim people, that we also urge that there not be a resumption of full-scale hostilities. I think that is in the interest of the people in the area.

Chairman SMITH. Mr. Ambassador, do you have any more time? We do have two additional commissioners who would like to ask some questions.

Ambassador HOLBROOKE. I'm in terrible trouble, Mr. Chairman. If I don't catch the 11:30 plane, which is in 17 minutes, I am going to miss a—I would be honored to come back any time, see you on the record or on background. Perhaps, one quick colloquy, if you wish, sir.

Commissioner CARDIN. Well, I don't want you to miss your flight. However, I am quite disturbed. I agree with some of the comments. I'm pleased by the refreshing admissions of our prior mistakes. But I find unacceptable the course of action that you're proposing. I feel that if we continue along this course, we'll continue to see a constant bleeding in that part of the world, and I'm not encouraged by your commitment for a change.

I don't want you to miss your flight, but I do want to look at a parallel in history during World War II. The same comments were made in Palestine about not arming the Jewish people and not letting the Jews be able to defend themselves. They had no chance of success. Decisions should be made by the Bosnians. We shouldn't be making those decisions. Mr. Wolf is correct. If there are going to be conditions placed upon the arms embargo, they should know it. They should be able to make their own choice on that.

I don't find it acceptable at all for us to just continue this same policy. It is intolerable for you to say that a year from now, or in the last year, we will have or we have made some improvements. Well, a lot of people are already dead, a lot of communities are already destroyed. There's not that many more they can destroy.

I appreciate the frustration of your position. I don't accept the British and the French position. We have put our troops in harm's way many times for international security issues. We make no apologies about our commitment to the international community. I just would like to see more aggressive action by the United States in leadership, even if it involves some risks. But don't let people suffer a slow death. Give them an opportunity to survive.

Ambassador HOLBROOKE. I share your sentiments, Congressman Cardin. I just stress that we have made progress in limited areas, like support of the Federation. We have simply not gotten to where you want to go. I would be happy to continue this with you in greater detail, but I respect your point of view.

Chairman SMITH. I think you'd better go. Thank you very much, Mr. Ambassador.

Commissioner HOYER. Don't even shake hands. You'd better get going.

Ambassador HOLBROOKE. Thank you. I'll look forward to seeing you again.

[Whereupon, Ambassador Holbrooke left the room.]

Chairman SMITH. I'd like to invite to the witness table our next two very distinguished witnesses. John R. Lampe has been the director of East European Studies at the Woodrow Wilson International Center for Scholars since 1987. He's also a professor of history at the University of Maryland, College Park. He was a Foreign Service Officer in Yugoslavia and Bulgaria from 1964 to 1967. He is the author of the book, **The Bulgarian Economy in the 20th Century,** and co-author of **Balkan Economic History, 1550–1950, From Imperial Borderlands to Developing Nations** (1982) and **Yugoslav-American Economic Relations**

Since World War II. He did that last one in 1990. Dr. Lampe previously testified at Helsinki Commission hearings on environmental problems in Eastern Europe, the 1991 conflict in Croatia and the potential for a spillover of the Bosnian conflict.

Stephen Walker is Program Director for Action Council for Peace in the Balkans and Director of the Council's grassroots program, the American Committee to Save Bosnia. As a Foreign Service Officer, he served in Mexico and in the Soviet Union. As desk officer for Croatia, Mr. Walker resigned from the State Department in August 1993 in protest over U.S. policy toward Bosnia. He has since organized the American Committee to Save Bosnia, a national network of over 100 humanitarian, citizen advocacy, student and religious groups concerned about Bosnia's plight. Mr. Walker later joined the staff of the Action Council for Peace in the Balkans, an organization or prominent Americans from across this country's political spectrum concerned about U.S. policy, again, toward Bosnia.

I would ask, Dr. Lampe, if you would begin the testimony and then Mr. Walker is free to follow. Then members of the Commission will pose some questions.

TESTIMONY OF DR. JOHN R. LAMPE

Dr. LAMPE. Mr. Chairman, thank you.

My remarks carry a title, "New Mandates and Old Limitations: Searching for Least Bad Policies in the Former Yugoslavia." Of course, the tragic timing of this meeting does bring us together on the third anniversary of war's outbreak in Bosnia, one little noted in the national media. As yet another cease-fire breaks down, my third appearance before this conscientious committee finds us no closer to a full or fair settlement. We are not here now to discuss how the Bosnian or the Croatian wars started or even what the United States should or could have done to prevent or stop them. In my written statement, I do refer the Committee to the most recent and best informed scholarship on this issue if, indeed, they wish to look into those publications.

Whatever the past failings or misjudgments of U.S. or Western policy, we now face a fourth, probably a fifth year of the Bosnian War. Before it began, Haris Silajdzic, now the Bosnian Prime Minister, told me of his fear that if fighting broke out in Bosnia, it would be a 30 years war. Now he talks of 10 years. Roger Cohen, writing in the March 29th **New York Times** about facing facts in the Balkans, worries over the grim reality that no diplomatic solution is in sight.

All the more reason, I would argue, that the new separate United Nations' mandates for Bosnia, Croatia, and what we are still calling the former Yugoslav Republic of Macedonia, that they would be regarded as the least bad means to buy another 8 months in which the killing can be kept to a minimum in Bosnia. It is very much reduced from 1992–1993, even though the cease-fire is already expiring. And also, let's go ahead with the hard search for some settlement in Croatia and the easier search in Macedonia that I think can be pursued by diplomatic means. Even small solutions there, plus the possibility of an invigorated Bosnian Federation between the Bosnian Muslims and Croats, may open the way to some meaningful concessions from the Bosnian Serb leadership. At least Pale's

quarantine within a circle of internationally guaranteed settlements, even small ones, can be tightened. As President Roosevelt once said, "Quarantine the aggressor." Under such conditions, the remaining Bosnian Serb population might conceivably begin to press their leaders for a settlement.

Let me turn from these slightly hopeful prospects for the new U.N. mandates to another sort of argument in their favor. You have already dealt with this in the discussion, so let me go on the record. What would happen if the U.N. peacekeepers, or perhaps just their European counterparts, were withdrawn even with no peace, but a partial truce to keep in Bosnia? Surely, the heavier fire power available to the Bosnian Serb forces would inflict heavy civilian casualties, as the Bosnian government pushed ahead with its larger troop strength to secure the routes to the Adriatic for access to external supplies that they would have to have before the next winter. Otherwise, Sarajevo and Tuzla would starve.

One danger for such a U.N. withdrawal from Bosnia has now passed with the mandate to keep a reduced but real force in Croatia. The Western governments with contingents there had made it clear that were President Tudjman's demand of January 12th that they leave to stand up, they would regard their Bosnian contingencies insupportable and pull them out as well.

Alas, a unilateral U.S. decision to lift the arms embargo on the Bosnian government, a unilateral one, would constitute another danger. I acknowledge with everyone in this room, I suspect, the unintended injustice of its original imposition as those who support its lifting now emphasize. But as with so much with the war, what would have helped once would only hurt now. Our NATO allies have made it clear that if we "choose sides", to use that phrase from "Before the Rain"—the "new" Macedonian film I trust many people have seen—if we choose sides, providing an arms credit and third country training for the Bosnian government, as the legislation proposes, then the NATO allies will withdraw their U.N. contingents. And here, something that has not come up yet, did not the United States commit itself in the fall, discussions with the NATO allies to provide 25,000 or more troops to assist in the safe withdrawal of these scatterer's components? If that guarantee still stands, then why would any Serb commander allow such an operation to proceed peacefully if it were a prelude to one of its participants supplying the other side with arms and training?

The only way to answer that question would be with U.S. troops that were prepared to do a lot more than withdraw. Even if the withdrawal could be accomplished without the significant U.S. involvement on the ground—and I find that inconceivable—then lift and stay would be replaced by lift and pray, the dilemma that Ambassador Holbrooke raises about facing a very large financial commitment. I would also argue that we'll face the dilemma not just of A, B, C, and D, but also E, which is American ground personnel. First, the would be needed for some kind of assistance or advising with the heavy artillery and tanks on the ground. Then if Sarajevo and Tuzla come under artillery, heavy bombardments—not what they now face—the only way you answer that with air strikes is with spotters on the ground. American spotters, that means American troops.

So, alas, I, too, support then, for these further reasons, the Administration's reluctant decision. I think Ambassador Holbrooke succeeded in making that reluctance clear today, to oppose the unilateral lifting of the arms embargo. Now, if we could work this out with the NATO allies, that's quite a different matter.

This raises the further issue of American public opinion—what the political will and best interests of the United States will that support? I call the Committee's attention to two recent articles in *Foreign Policy* and *Foreign Affairs,* respectively. John Reilly's piece in the former now appears as a separate publication from the respected Chicago Council on Foreign Relations. Every 4 years it polls elite and public opinion polling—probably the best survey that's out there. It now shows that the public still wants the United States to take an active part in world affairs, 70 percent or so anyway. Fifty one percent support some strengthening the UN's role, up from 4 years ago. Bosnia is down in the ranking of countries that seemed to be important for U.S. vital interests. It's 17th of 24, just behind Egypt, but ahead of Rwanda and Poland. At the same time, the public also regards Bosnia, with the Committee I'm sure, as the area where American foreign policy has failed most badly, 93 percent rate our performance fair or poor. That's way above the other figures.

Then in December, a couple of months before, Andrew Kohut and Robert Toth draw on a variety of recent polls to suggest in *Foreign Affairs* that a majority of public opinion still opposes unilateral military action by the United States anywhere, Bosnia included. Far more sympathy exists for the Bosnian Muslims as the grieved party, but only 33 percent express that sympathy. When the designation of Bosnians as "Muslims" is taken out of the question, that doesn't raise the amount of support significantly.

I'll also cite again, the University of Maryland's poll as I did in previous testimony—this one from April 1994—that shows that U.S. public opinion is still prepared to support U.S. participation in U.N. forces in Bosnia, either for the present delivery of humanitarian supplies or for future duty in a genuine peacekeeping force that would accompany some kind of settlement. Fully 73 percent support those sort of prospects. I very much regret that the Bush Administration sent American troops to Somalia in 1992 and then the Clinton Administration kept them there too long, instead of sending a contingent to Bosnia right away to join and make UNPROFOR a more formidable enterprise right from the start.

In any case, with the feasibility of some future American participation still in mind, let me return briefly to the three mandates and the prospects each of them holds for the situation on the ground in the former Yugoslavia. I think we shouldn't forget Croatia and the Macedonian situation in the discussion today. Now, to start with Bosnia, I refer to the East European Studies Meeting Report from our Wilson Center where James Gow, the leading British expert on former Yugoslav militaries, called our attention to the impending stalemate on the ground in Bosnia-Herzegovina.

Now, almost a year later, we see that Bosnian Government forces with sufficient men in trained units with good small arms, roughly twice the size of the Bosnian army, are able to fight on more fronts than one at a time. That's why they move out from Travnik and

not just Tuzla, but it can make only very limited advances. It can not even take that communications tower north of Tuzla, and any large-scale advance for this year remains likely to bog down and not just because the Bosnian Serb heavy artillery and tanks are there, as occurred in Bihać. We should not overlook the fact that the great majority of the Bosnian Serb forces see themselves and the territories they're defending, as defending the localities in which they've lived for many generations. Now, there were cities that were ethnically mixed in the middle of those localities and that's where the real war crimes took place.

Under these stalemated circumstances, then the continued presence of the UNPROFOR troops is going to reduce civilian casualties, keep them down as they have been kept down, make certain the supply lines are open for the war's duration. Winter is coming again. That presence also, I think, should reopen the possibility to exert the one sort of American-lead military pressure that does seem feasible against the Bosnian Serbs.

Let's not abandon our efforts to persuade the allies along the lines Ambassador Holbrooke was presenting to Congressman Hoyer. Let us persuade our allies that the previously mocked NATO air strikes, the runway but not the planes, could still be made effective against any assault on urban exclusion zones. If those are robust, then that recourse would deny the Bosnian Serb forces the chance to punish civilian targets for any Bosnian army advances that they're legitimately entitled to make.

In addition to repairing NATO's credibility in the region, such limited use of force would also push both parties to the same sobering conclusion that the **New York Times** editorial recently reached—and the **New York Times** has been tough, very close to the committee, I think, on their appraisal of the war. But that editorial in the Times exhorted "all sides to give up their dreams of military victory and accept a negotiated compromise."

Prime Minister Silajdzic has recently repeated his government's readiness to return to the Contract Group's least bad plan of last year. A Bosnian military commander told a respected journalist recently that even in the case of military victory, his side is seeking no more than the 51 percent of territory allocated under the plan. It's too bad that it has turned out that way, but I'm afraid we may be stuck with that percentage.

So, the Bosnian Serb side, in any case, should come to terms with that percentage, if not the exact contours of a map about which both sides can complain and probably should bargain further. Pale's international isolation has only increased with the departure of previous Russian support. The Russians have really washed their hands of Pale now. They talk to Belgrade. The Serbian regime of Slobodan Milosevic clearly objects to the continued leadership of Radovan Karadzic. It's a real break between them, a real split, not because Milosevic has seen the light of federalism and idealism, but because Karadzic threatens his power in Serbia. He wants to hold on to that power. That's his major long-run plan, the one that he never gives up. Karadzic's regime is thus in a weaker position than it was last year. It might yet come to the bargaining table.

In the meantime, I do strongly endorse the State Department's initiative with Bosnia-Herzegovina so that this moribund Federation can transform itself from a cease-fire—a very useful cease-fire—but still, it should become a vehicle for multi-ethnic cooperation between Croats and Bosnian Muslims. Both sides presently have legitimate complaints about the other: the Croats over their minimal presence in the Bosnian Government, local administration, and the Muslims over the appalling situation their fellows face in Herzegovina in general, and Mostar in particular. The Congress can do no better in Bosnia than to support this groundwork, and I think there is legislation proposed for more support for the Federation next year. This is the sort of society that the people we all admire in Sarajevo thought would emerge, that would make Bosnia-Herzegovina a single nation, a multi-ethnic nation in 1991. Let's aim for that at least in the Federation territory.

Turning briefly to Croatia and Macedonia. The small U.N. force of 8,000 in Croatia is now reduced from 12,000 and renamed the U.N. Confidence Restoring Operation in Croatia. This should keep the Serb-Croat war from erupting again. Also, the detailing of those 1,000 troops to monitor Croatia's border with Bosnia and its Serbs will probably serve no effective purpose. Let's admit it. But those on the border with Serbia, they might well do some good.

They could testify to the bona fides of the Serbian Government's restriction of arms and military supply traffic with the Croatian Serbs that should be part of any acceptable agreement to lift economic sanctions on Milosevic's Serbia—if only for a limited time, 4 months, 6 months, as Misha Glenny suggested in his New York Times' article of March 16th, in return for some recognition of Bosnia and at least of the agreement as it stands in Croatia. And why not Macedonia too as one of the conditions. Such an agreement would, I think, use Serbian public opinion to Western advantage for once. It would also put further pressure on the isolated Karadzic regime to accept some kind of international agreement itself.

As for Croatia itself, let Ambassador Peter Galbraith go ahead with the Z–4 negotiations to reconcile substantial Serb autonomy in the Krajina with the establishment of Croatia's sovereignty over all of its territory, but under equal conditions for all citizens. I welcome President Tudjman's statement on January 12th announcing the UNPROFOR departure. He spoke of citizens of Croatia for the first time. The multi-ethnic measures for confidence building now proposed by the Bosnian Federation would not be out of place in the Republic of Croatia.

The former Yugoslav Republic of Macedonia—I may not have to use that phrase next year at this time. Let's hope so. I conclude by emphasizing how much it would help the various parties in taking the small steps noted above if the dispute between Athens and Skopje could be settled as soon as possible. The Greek embargo does more than just damage the chances for the fragile Macedonian economy to survive on the basis of legal, private enterprise. It does much to encourage smuggling and illegal enterprise.

Losses to the Greek economy are now mounting. The port of Thessaloniki is also suffering. The struggles of the Gligorov government in Skopje to come to satisfactory terms with its huge Alba-

nian minority has implications for Greece's security as well. In that regard, the sort of multi-ethnic projects foreseen for the Bosnian Federation may also be a model for the confidence building measures that are needed between the Macedonian and the Albanian communities. The real danger for Kosovo right now is that if Macedonia blows up and the Albanian population mixing in with the Kosovor Albanians across the border spreads the conflict to Kosovo, then Milosevic's police and army, probably in that order, will come down on it.

Hence, the attractiveness of a small solution that might postpone the issue of the name, but trade some concession over the Republic's flag and constitution for ending the Greek embargo. An increase in the symbolically important presence of U.N. forces there—now, it's the U.N. Preventative Deployment Force; we have to get used to these names for all the different places. We might well make clear our determination to secure international recognition for that small state. Don't underestimate, ladies and gentlemen, the importance in the area that that very small American contingent has had attached to it in the time since it's arrived.

We desperately need one agreement in the region between the parties who are in dispute to start some movement toward other agreements. Otherwise, the long twilight struggle of which President Kennedy spoke in describing the Cold War will become a longer, darker struggle than any of us imagined. Let us draw on our still useful American optimism and American impatience that says—"Let's do something." Part of that American spirit is also, "Let's do something practical." Hopefully, that can be done in a way that will prevent this longer, darker struggle from finishing the full century with this Committee still holding hearings on the same issue.

Thank you, Mr. Chairman.

Chairman SMITH. Dr. Lampe, thank you for your very comprehensive statement and testimony.

I'd like to ask Mr. Walker if he would present his testimony and just note that when you quit your job in a policy dispute, that certainly sends a very clear and loud message in terms of your principles and your belief that something has gone awry. So, I look forward to your testimony.

TESTIMONY OF MR. STEPHEN W. WALKER

Mr. WALKER. Thank you, Mr. Chairman and distinguished Commissioners.

I'm honored to appear before this distinguished panel today and I would, in particular, like to cite the leadership members of this Commission have shown in sponsoring legislation to end the U.S. arms embargo against Bosnia. The subject of today's hearing is, unfortunately, even more urgent than at the time of my resignation from the Department of State in August, 1993.

From the very beginning of President Clinton's term, the Administration has claimed that its policies would prevent a prolonged and widened war and avoid the introduction of U.S. ground troops. Ironically, 2 years later, these very consequences now appear inevitable. They will surely become reality unless the United States stops pretending that Bosnia does not really matter and that it will

just go away, and instead, develops a sensible long-term strategy that will bring a sustainable peace to the region.

As has been noted, today is April 6, 1995, and the fourth year of genocide and aggression in Bosnia begins. The international community has not ignored these outrages, but its record is at best, mixed; at worst, complicitous and dishonest. My analysis may appear quite harsh. It is. The United Nations, NATO and the courageous men and women acting on their behalf have done some good and have saved lives, there is no doubt. But one can call their work a success and be satisfied with present policy only if one compares it to doing nothing. That is an unacceptable standard.

U.S. policy has been driven by the desperate desire to keep Bosnia off the front pages and off the President's lap for the last two administrations. This is a short-term approach. Any day it succeeds in doing so, the policy is considered to be a success. The Administration has resigned itself to prolonging an illusory status quo as part of what I call a Potemkin village policy. This policy offers the appearance of a rational response to the Balkan conflict that is, in fact, utterly disconnected from the realities on the ground and offers no real hope for peace in Bosnia or the Balkans. It is a policy that not only abandons our principles and interests, but also violates a core principle valued by all Americans and acknowledged by the drafters of the U.N. charter: the inherent right to self defense.

The strongest military component of our present policy, financing UNPROFOR at the cost of one-half billion U.S. tax dollars a year, and we should think about what that could do for the Bosnian army if we turned it into military assistance, and creating safe areas to be protected by UNPROFOR was mere window dressing from the start.

But even if UNPROFOR fulfilled its mandate, including actual protection of civilians in safe areas, this would be a poor substitute for a coherent, effective policy for addressing Serbia's aggression. Instead, U.N. troops sent to protect humanitarian relief efforts and the civilian population are concerned primarily with protecting themselves and actually offer Serbian forces a shield against NATO air strikes. As a result, Serbian leaders remain committed to war and see no utility in serious negotiations.

Remarkably, the United States remains committed to this misplaced, hollow peacekeeping mission in the midst of a war where there is no peace to keep, and to negotiations that, lacking the threat of force to support them, offer no hope of a peaceful resolution. In an implicit acknowledgement that this approach is futile, the United States and its Contact Group partners in recent months have pursued a course of appeasement with Belgrade, offering to lift sanctions. Appeasement, however, never satiates and never yields sustainable peace. As Mr. Hoyer noted earlier, it merely wets the appetite of the aggressor and encourages and rewards more aggression.

In what may be a sign that the Administration has even given hope that appeasement will work, it is now focused on extending a non-existent cease-fire. This latest policy shift ignores the realities that Serbian forces remain committed to terrorizing Bosnia's civilians and conquering more territory. And that the Bosnian gov-

ernment may finally have concluded that it is better off relying on its poorly equipped but better trained and organized army than the hollow words of Western diplomats.

In Croatia, the UN's failure to carry out its mandate has bordered on the farcical. Rather than facilitating the return of 400,000 refugees, the U.N. has supervised the exodus, at times on its own buses, of 40,000 more. Rather than facilitating the withdrawal of Serbian troops, the U.N. has allowed them to entrench themselves with the uninterrupted support of the Belgrade regime, launching regular rocket and mortar attacks on Croatian cities and towns, and effectively cutting off the Dalmatian coast from the rest of Croatia.

Last month, under Zagreb's threat to evict UNPROFOR, the United States and its Contact Group partners agreed to revamp the mandate. Unfortunately, the new mandate for Croatia offers only a symbolic reaffirmation of Croatia's territorial integrity and sovereignty and does not disguise its author's lack of will to actually seal Croatia's borders. Serbia's occupation, dependent upon resupply from Belgrade, will continue and, abandoned by the United Nations, NATO, and the United States, Croatia will eventually take matters into its own hands. We've only bought ourselves a few months.

The lessons of the failed U.N. mission in Croatia should not be lost on those who support the Contact Group's partition plan for Bosnia and should chasten those who would commit tens of thousands of U.S. ground troops to enforce any agreement based on that plan.

But perhaps the greatest loss in terms of credibility has been NATO's. NATO was built on the credibility of its security commitments. When NATO threatened to back up U.N. resolutions with air strikes, that threat had instant credibility. The failure of the United States and its allies to fulfill that commitment cost NATO its credibility and many Bosnians their lives. Notwithstanding, Administration complaints of allied resistance to its "preferred" policies, that resistance can be overcome and NATO's credibility restored with some traditional U.S. leadership.

Present policy bodes ill not only for Bosnia and Croatia however, as we've heard, but for the region as a whole. By tolerating ethnic cleansing and aggression in Bosnia, we have encouraged the increasing persecution and repression of the ethnic Albanian majority in Kosovo making an eventual explosion there all the more likely. Rising tensions in Kosovo threaten to spill over into Macedonia, where several hundred U.S. ground troops symbolize yet another Potemkin policy. The most immediate threats to Macedonia's stability and security are not necessarily Serbian ground troops pouring over the border, but instability in Kosovo, internal ethnic tensions in Macedonia, and the Greek embargo. U.S. policy toward Macedonia, however, forbids even sending an ambassador to Skopje.

Rather than seeking to appease war criminals and prolonging the suffering, we should adopt the one sensible course of action that has been evident from the early days of the war in Bosnia. First, the arms embargo against Bosnia must be lifted. Serbian forces will continue to attack civilians until those civilians are protected

and the rapidly improving Bosnian army has the right and the responsibility to do so. A balance of power on the ground would also strengthen the Bosnians' negotiating position and make a negotiated settlement more likely and sustainable. If the United States would lead by terminating its embargo, dozens of other nations would immediately follow. Recognizing this, Congressional efforts to end the U.S. arms embargo have offered the only real hope for a more sensible and just U.S. policy.

Second, NATO should fulfill its commitment to protect the so-called "safe areas" and honor other valid U.N. resolutions by stopping Serbia's ongoing invasion of Bosnia. Rather than using pinprick air strikes as a tit-for-tat response, NATO should be prepared to use robust air strikes to destroy Serbian heavy weapons and supply lines, including border crossing points from Serbia.

Third, U.N. forces should be reconfigured and re-deployed so that they can fulfill their original mandate and defend themselves, or they should be withdrawn. If U.S. group troops are to be used to protect withdrawing U.N. troops, NATO air power should be used preemptively and forcefully to limit the ability of hostile Serbian forces to threaten or interfere with such a withdrawal. We should not be putting our own soldiers at risk, as the British and the French have been willing to do the last 3 years, without backing them up with some means of defense.

Fourth, negotiations should exclude ratifying the forcible partition of any U.N. member state. Legitimate concerns on the part of ethnic minorities and their legitimate representatives should be addressed through constitutional protection of their rights and arrangements for political and cultural autonomy. And we should also begin supporting the Tribunal in earnest, not just with funding, but with the evidence that we do have that the Tribunal could use to prosecute those war criminals and encourage our allies to actually pony up some money. The Tribunal right now is running on fumes and it can't fulfill its mandate.

To some, this may sound like a war strategy that would Americanize the crisis. In fact, it is a strategy for a sustainable peace and would Bosnianize the crisis by allowing Bosnia to take on the primary responsibility for its own defense. Present U.S. policy is a war strategy that is already prolonging and widening the war, and promises to Americanize it by introducing tens of thousands of U.S. ground troops into an unstable and hostile environment.

When I first joined the State Department's Balkan Conflict Group in the Spring of 1993, I was told not to worry about Bosnia because Bosnia was in the end game. I was told that again on the day that I resigned, and again, 2 weeks ago, by a State Department official. Bosnia is not in the end-game. In fact, we may be in the early stages of a Balkan conflict in which dangerous precedents are being set with enormous repercussions far beyond the region. Administration officials complain that their options are limited and that they are making the best of a terrible situation, but their options are the same as when they came into office and their policies are contributing to a rapidly deteriorating situation on the ground.

For the past year, I have been part of two organizations that understand that Bosnia is not in the end-game. Under the leadership of Mort Abramowitz, Zbigniew Brzezinski, Frank Carlucci, Hodding

Carter, Max Kampelman, and Jeane Kirkpatrick, the 50 member Action Council for Peace in the Balkans is vitally committed to pursuing an end to the arms embargo and pursuing a more credible U.S. policy that will lead to a just and sustainable peace. In the past year alone, 34 prominent Americans have joined the Council's original Steering Committee and the bipartisan list is still growing.

The American Committee to Save Bosnia's grassroots network has tripled in size since its creation 15 months ago, one indication of support and understanding that is out there among the American public. The Administration, itself, may have grown tired of Bosnia, but thinking people in Congress and the foreign policy establishment and across the country have only grown tired of the failed U.S. policies of the Bush and Clinton Administrations.

Distinguished Commissioners, I will conclude by urging you to make every effort to ensure that the Smith and Dole-Lieberman bills to end the U.S. arms embargo on Bosnia are passed quickly, and that the United States finally demonstrates the necessary leadership and pursues a more sensible, rational course of action in the Balkans.

Thank you for the opportunity to appear before you today.

Chairman SMITH. I thank you very much, Mr. Walker.

Mr. Cardin does have to leave. If you have any questions, why don't you go ahead and ask.

Commissioner CARDIN. First, let me say, I appreciate both the testimonies of our witnesses. I apologize. I need to leave. I will not be able to stay for all the questioning.

Mr. Walker, I agree with your approach and your statement and I want to be identified with the strategies that you have suggested. I think they are the strategies that we should be following.

Let me just maybe complete my thoughts about Ambassador Holbrooke's comments. I'm sorry he had to leave and I couldn't get my full exchange with him. I guess that I'm frustrated. It's good and, I guess, therapeutic for us to acknowledge the mistakes that we've made, but we should have a game plan that can work. I would like to return to the analogy that I made to World War II with what happened in the Middle East. It would have been politically easier or more efficient for us to allow the complete ethnic cleansing of the Jews in Europe and not put our prestige on the line to establish a Jewish state in Palestine. After all, the chances of survival were very remote. The strength clearly favored the Arabs. The politics in the Middle East was very much against the Jewish state at that time. The Arab states were armed. The Jews could only get whatever arms they could get into the country by smuggling.

There was one key event which helped Israel become the safe state it is today. It didn't come from the Middle East. It didn't come from Europe. It came from the United States when President Truman recognized the state of Israel. It was a very controversial move, one that annoyed many of our allies in Europe and the Middle East. But the United States provided the moral leadership that was absolutely essential.

Are we so morally void that we can't stand up again and provide that type of leadership to the world? We are the superpower. We have the capacity but we're afraid to take the risk. I guess that's

why I find it very frustrating that I cannot find anyone from the Administration who is willing to consider that boldness on the part of the United States, as Harry Truman did that led to the change in the Middle East.

Mr. Chairman, I thank you for calling me out of order. I apologize for having to leave.

Chairman SMITH. Thank you, Mr. Cardin, for your very fine comments. I'd certainly like to associate myself with those comments. I think they were right on track.

I'd like to ask a couple of questions, and then I'll yield to Mr. Wolf.

Mr. Walker, you mentioned that we ought to provide the evidence that we do have. You heard me ask Ambassador Holbrooke earlier, whether or not we had evidence that might implicate high Serbian military and political officials. I keep having this nagging sense in my mind that the very people with whom we are negotiating—and meeting in constant negotiations behind closed doors and in open conversation—are the very people who might be the subjects of criminal prosecution. These are the people at the very top, the next level, and the next level. It seems that the only people that are likely to be prosecuted are going to be of the very lowest echelon, the grunt who carried out some of these despicable orders and continues to do so.

I was a bit amazed that Ambassador Holbrooke wanted to get back to us on that and did not have any definitive statement to make as to whether or not that information exists. Do you know of information within the government, or have reason to believe that that information or evidence would implicate these people?

Mr. WALKER. To the extent that I can say in an open hearing, yes, I do have reason to believe so. The problem is—and I think what was noteworthy in Ambassador Holbrooke's response was that he did not address the question directly of whether we have evidence or not. He said that if we did have evidence, it probably wouldn't add much to what you all know from having been there, and that he didn't think there was a cover-up.

I'm not suggesting that there's a cover-up except by omission. If we were serious about truly helping the Tribunal and providing evidence that we might have at our disposal to help prosecute those senior political and military leaders responsible for war crimes, then we would be delegating more resources within the intelligence community to pulling that information together, as was done, I believe, in the 1980's with regards to El Salvador.

I would argue that a task force should be established with members from all of the members of the intelligence community to go through what we have and see what actually is in there. I think, to a large extent, senior officials don't know if we have anything or not because they haven't dedicated the resources to cull through the information, collate and provide it to the Tribunal. The reason being that showing that these senior leaders are complicit in the genocide and have directed it would not suit our political aims to cut a deal with them.

Chairman SMITH. I appreciate that answer.

In terms of joining the Bosnians at the International Court of Justice in their plea, do you think that that would be a wise idea?

Again, Ambassador Holbrooke said they are mulling that over, but would get back to us on that. Dr. Lampe?

Dr. LAMPE. Well, I would think so, yes. That is one of the practical steps that we can start on. Even if that's going to be a very long process, the word should go out that the process is going to continue and that not just those pulling the trigger, but those ordering various militia units, the commanders of those units in the early days, are completely liable for what people under their command have done.

I would add that that's going to be a long and difficult process will, indeed, discourage those who want to persist with it, but it demonstrate that we are persisting over the long haul, we must put some resources up front and resolve these funding logjams that Ambassador Holbrooke was lamenting. I don't see why those issues shouldn't receive a priority. Let's resolve them for a higher purpose, real fast.

Mr. WALKER. I think the Administration's resistance and reluctance to use the term "genocide" in talking about Bosnia is one of the darkest stains on our country during the last two or 3 years. I think we should immediately invoke the Genocide Convention and support the Bosnians' claim. Not because, necessarily, the end result of a suit or a legal process is going to yield the results we want, but because politically and psychologically, it is important to recognize that this is genocide and that we have an obligation to respond to it.

Chairman SMITH. Are either of you concerned that the slowness and tardiness in getting the investigations off the ground might lead to a loss of evidence that could, again, implicate people right up the chain of command?

Dr. LAMPE. It's possible. Although on the Serbian side in Serbia proper, I think the long-term survival instincts, alas, of Milosevic and the people closest to him, have led to a readiness to preserve and even hand over information that's available on obvious suspects like Arkan, Seselj, and others in the military. That is not as hopeless a prospect as we might suspect because the interlocking, very tightly organized connection that is so tempting to presume on all of the sides really has not been there. I think that gap offers the chance to step in. If the clear international standard and requirement is set before even the Milosevic side, I think it is worth a try certainly better to proceed on that track than to throw up our hands, to give up in yet another regard.

Mr. WALKER. I think the delays in establishing and funding the Tribunal have already resulted in the loss of evidence. Perhaps not so greatly in terms of senior political and military leaders, except for giving them time to cover their tracks. But in terms of mid-level and senior level commanders out in the field where we have eyewitnesses potentially, in the form of refugees. Those refugees are being displaced and in some cases, when they're still in the region, they're being killed.

Chairman SMITH. We do have a vote, unfortunately, but just let me conclude with one or two additional questions.

We have some 40 co-sponsors now on the resolution on the House side to lift the arms embargo on Bosnia unilaterally, and that number is growing. This becomes especially important in light of the

fact that the Bosnian army is getting stronger. I wonder how you might rate the relative strength of the Bosnians?

Again, Dr. Silajdzic adamantly states that it is not out of goodwill or out of respect for the diplomatic overtures of the international community that chills Serb aggression. But, increasingly, it is because of the counterbalance of the Bosnian army which, again, gets stronger by the day.

You did mention, Mr. Walker, the idea of making diplomacy work by having a credible deterrent and having a force now that can reckon with the Bosnian Serbs. But how would you rate their army? Where will it be in, say, 6 months? Would that, perhaps, be a more opportune time, given the fact that right now, I think, President Clinton would veto the bill if it passed both houses? You know, are we in a better situation then? You made a very ominous statement that "This is not the end game," and that the end game is nowhere in sight.

Mr. WALKER. Personally, I would urge the Congress to pass the arms embargo legislation at the earliest opportunity. We've already waited too long to end the embargo and it could have short-term effects this summer which could prove pivotal in terms of changing the tide on the ground.

The Bosnian army's capabilities have vastly improved over the last 15 months since Prime Minister Silajdzic moved up to the Prime Minister's office. Their capabilities, their training, their morale, their organization is much better. In fact, I would cite the Bihac crisis as an example of its strengths as much as the Bihac crisis showed that the Bosnian government couldn't hold the large tracts of territory once it took it because of its lack of weapons. It showed that it could carry out large-scale military maneuvers, and as we're seeing now even on two different fronts.

The Bosnian army outnumbers Serbian forces by about two-and-a-half to one in terms of men, but can't put a rifle in the hands of one in three. Therein lies part of the problem. Their capabilities are growing day-by-day but we shouldn't hesitate, waiting for some critical mass to build.

If we're going to help them, if we really want peace, we should set ourselves on that right course now, even if the President wants to veto the legislation. Let him veto it and tell the American public and the world community and the history books why he's denying the Bosnians the means to defend themselves in the face of aggression and genocide and we're not willing to help them, and what his alternative is.

Chairman SMITH. Dr. Lampe?

Dr. LAMPE. Well, I would just want to add that we should not underrate the defensive capacities now of either side. I think both sides can hold pretty well the territory that they now have.

One rifle in three, that's not the information I have on the Bosnian government side, but heavy weapons, yes, there is still a gap. Whether that gap would allow a breakthrough on the offensive side, the Bosnian Serb side, I doubt even though their morale has not disintegrated. Let me repeat again that most of their forces are defending their home areas. That's a different matter than pressing ahead with trying to take Sarajevo or push into the areas where an offensive operation would be limited.

So, that's where I feel we are facing a longer term stalemate, realistically, as disturbing as that may be. Therefore, let's proceed ahead to make the best we can of the least bad approach, given the fact that it is an approach, in all likelihood, to a stalemate.

Chairman SMITH. I thank you both very much for your testimony. This hearing is adjourned.

[Whereupon, the hearing was adjourned at 12:04 p.m.]

[Additional material submitted for the record follows:]

APPENDIX

Statement of
The Honorable Christopher H. Smith
Chairman, Commission on Security and Cooperation in Europe

HEARING ON THE UN, NATO AND THE FORMER YUGOSLAVIA
April 6, 1995

Today, the Helsinki Commission focuses its attention on policy questions regarding the former Yugoslavia, and specifically issues surrounding the international presence there. UN peacekeeping efforts in Bosnia-Herzegovina, Croatia and Macedonia, and NATO assistance to UN efforts are of utmost importance, but efforts of other organizations merit attention as well.

We hold this hearing on the third anniversary of what is generally accepted as the beginning of the war in Bosnia. On the one hand, it does seem like this war -- with the constant reports of senseless acts of hatred against innocent people -- has gone on forever. On the other hand, when the war began, no one imagined it would get as bad as it subsequently did, or that we would allow it to continue that way for so long.

We have, before us, Assistant Secretary of State Richard Holbrooke to discuss these missions and the realistic prospects for a just peace in light of the new UN mandates for peacekeeping. Today's hearing comes on the heels of another Commission hearing, where the evidence of genocide in Bosnia-Herzegovina was discussed. Two days ago, we heard from four expert witnesses, and their testimony was compelling to say the least. Despite the absence of a smoking gun, like the files left by the Nazis documenting the Holocaust, what has happened in Bosnia is genocide, without a doubt. The systematic way the Bosnian genocide has been carried out, and the openness with which concentration and rape camps have operated, leave no question of its orchestrated nature. We also learned that, with mass executions, documented by grave sites, the genocide extended into Croatia. Each victim has a dramatic and tragic account to relate, but the dry statistics -- 200,000 killed, 800 prison camps with at least 500,000 prisoners, over 50,000 torture victims, 151 mass graves with 5 to 3,000 bodies in each, and over 20,000 rape victims -- were sobering in themselves.

As you know, Mr. Ambassador, the State Department human rights report refers to genocide in Bosnia. If this is genocide, then we have a definite moral and legal issue in our policy debates -- the obligation of the United States and the international community to try to stop genocide from occurring. In my view, our national interests in deterring nationalist aggression only confirm the need for decisive action by the international community.

One thing this Commission has learned at its 16 hearings on the former Yugoslavia, since the conflict began there in 1991, is that the conflict could have been stopped. Witness after witness, with experience on the ground, has told the Helsinki Commission that credible military threats continually caused the Serb militants to back off and be more cooperative. Had they faced international resolve, during the Bush or the early Clinton Administration, we would not be having this hearing today. Opportunities were lost, one after another, as our ultimatums were revealed only as political bluffs.

This Commission, ladies and gentlemen, does not say this only after the fact, as the "Monday morning quarterback." From the beginning, we called for strong action to get humanitarian aid convoys through the lines, no matter what, to stop the bombardment of large, vulnerable civilian centers -- to stop the war. We always met opposition. And now, our government and those of Europe, seem to suggest that damage perpetrated against Bosnia has been so great that the reestablishment of a unified, multiethnic state is, at best, a dream. Even a 51/49 split is out of reach. Military options are now riskier. What concerns me is the fact that the same officials who now find it too late to act, had other excuses when it was not too late. One can conclude that at least some of them simply never had the courage to act in the first place, or they did not care about genocide or have the foresight to see how American interests were affected by all of this.

To be clear, I do not oppose finding solutions to problems at a negotiating table, but the parties involved should be given no choice but to find solutions at the table, and not from the hills surrounding defenseless Bosnian towns and cities. No parameters for acceptable behavior were established and upheld, and negotiations continue to be a dismal failure.

And what frustrates me most is that governments, and European governments in particular, are unwilling to acknowledge their incredible error, and to change course.

It is with some regret that I have to express these views before our State Department witness today, Ambassador Holbrooke, who has shown a personal interest in getting something done in the Balkans, and who enunciates his views with an admirably principled tone and unusual degree of frankness. It is hard to combine these two traits in presenting official policy.

I want to highlight, in particular, the seriousness with which the Assistant Secretary has pursued the development of the Bosnian Federation, which perhaps, along with the Sarajevo ultimatum of February 1994, is the most innovative and positive effort undertaken by the Clinton Administration in Bosnia. While I question the viability of the federation absent a real response to Serb aggression, I see no choice but to move forward with the federation as best we can.

Following the Assistant Secretary, we will have two expert witnesses, John Lampe and Steve Walker, who will provide additional analysis of policy options and likely scenarios for the future. Both are former members of our Foreign Service; both are well known experts on Balkan affairs today. Hopefully our dialogue will shed some light on what can be done to save Bosnia, Croatia, and the Balkans, before it is too late.

6 April 1995

Co-Chairman Alfonse D'Amato
Opening Statement
CSCE Hearing on the UN, NATO, and the Former Yugoslavia

Mr. Chairman:

I want to thank you and commend you for calling this hearing on the situation in the former Yugoslavia. Since the disintegration of the former Yugoslavia and the outbreak of Serbian aggression, I have supported decisive efforts to bring a quick end to the war, because armed aggression must not be tolerated, because Serbian "ethnic cleansing" is active genocide, and because of the risk that the war will spread. Now, after three years of war, there has still been no decisive action.

In fact, Serbian forces appear to have achieved most of their objectives in Bosnia and Croatia. They hold about seventy percent of Bosnia and about a third of Croatia. They have "ethnically cleansed" these areas of non-Serbs.

I support lifting the arms embargo against the Bosnian government to allow Bosnia to at least have the means to defend itself against continued Serbian aggression. Moreover, NATO and the U.N. must agree on air strikes against Serb forces and installations if they attack UNPROFOR forces or UN-declared safe areas, attempt to block arms supplies to the Bosnians, or take or hold UNPROFOR or international humanitarian organization units or personnel hostage. I believe these are the minimum steps the West must take to regain credibility in the Balkans.

On Tuesday, the Commission heard testimony that the Serbs have committed genocide against Bosnian Muslims and Croatian Catholics, using terror, starvation, torture, rape, and murder to drive them out or kill them.

After the people have fled or their corpses have been committed to the silence of mass graves, the Serbs are working to eliminate all evidence that they ever existed. Using bulldozers and dynamite as the erasers, they obliterate mosques, churches, synagogues, graveyards, schools, houses, and even distinctive public architecture like bridges and libraries. They are making certain that if the survivors of the "cleansing" ever recover from their terror and wish to return home, there will be nothing left of home for them to return to.

Co-Chairman Alfonse D'Amato
Opening Statement, CSCE Hearing on
the UN, NATO, and the Former Yugoslavia
6 Apr 95

In the mean time, the United Nations and NATO have hurled may words at the aggressors, but just a literal handful of bombs.

When the Serbian aggression began, the United States and our major European allies were fresh from our joint triumph over Iraq in Desert Storm. The U.S. armed forces had not been decimated by the continuing defense draw down. As a result, the possibility of success for coercive diplomacy -- harsh words backed by the credible threat of force -- was at its highest point.

Now, several years, many harsh words, many public and private quarrels between allies, many United Nations resolutions, and a handful of bombs later, the Serbs would have to be blind, deaf, and foolish to lend any credibility at all to any NATO threat of the use of force against them.

They followed Mao Tse-Tung's old dictum to "probe with the bayonet, but withdraw when you strike steel." They probed, but they haven't yet struck steel.

In fact, both Serbian policy and military initiatives have yet to be stopped. Every UN or NATO threat has turned into hollow bluster. Every Bosnian attempt to change the facts on the ground has been thwarted by the Serbs themselves, by the UN, or by Bosnian military weaknesses caused in part by the UN arms embargo.

The Serbs, emboldened by victory, are just waiting for a weary world to concede them their conquests and work out a diplomatic fig leaf to cover their ugly reality.

Possessing the military-industrial resources of the former Yugoslav federal army, and with their dream of a Greater Serbia almost within their grasp, what incentive does Serbia have to agree to give back so much conquered land? Is the promised relief from leaky UN sanctions enough? I don't think so.

Co-Chairman Alfonse D'Amato
Opening Statement, CSCE Hearing on
the UN, NATO, and the Former Yugoslavia
6 Apr 95

Now, I fear we are whistling past the Balkan graveyard, hoping that the new Gore-Tudjman deal will keep the Croatian front from erupting while we try to tamp down increased fighting in Bosnia. Then, we hope to persuade the Serbs to reverse their rejection of the Contact Group peace plan, and the Croatian Serbs to accept Croatian sovereignty in some mutually acceptable form.

Does it sound likely, measured against the recent history of relations between the warring parties, that all of these desirable events will come to pass?

What if we are wrong? What do we do, if diplomatic words backed by demonstrated impotence, fail once again?

While UNPROFOR and humanitarian aid organization personnel remain potential hostages, our European allies continue to have a convenient excuse for non-action. So long as inaction and more talk constitute the sum of allied policy in the Balkans, we have made the Balkans safe for Serbian aggression.

That, I believe is a recipe for more war, and a wider war. While we worry about Bosnia and Croatia, I still believe that the Serbian ultra-nationalists will not rest without at least an attempt to "ethnically cleanse" Kosova. If that starts, the ethic Albanian Kosovars will not go quietly to concentration camps or flee to Albania or the former Yugoslav Republic of Macedonia. They will fight. And I fear that the resulting war will not be contained within the borders of the former Yugoslavia.

Mr. Chairman, I look forward to hearing the testimony of today's witnesses. I hope they will be able to suggest ways that have not yet been tried that will bring peace and justice to the Balkans.

Thank you.

Statement of
Representative Steny H. Hoyer
Commission on Security and Cooperation in Europe

HEARING ON THE U.N. AND NATO IN THE FORMER YUGOSLAVIA
April 6, 1995

MR. CHAIRMAN, I COMMEND YOU, AGAIN, FOR CONVENING THIS SERIES OF HEARINGS ON THE GENOCIDE IN BOSNIA -- AND, YES, LET US BE VERY CLEAR ABOUT THE SUBJECT OF OUR DISCUSSION HERE TODAY. LIKE TUESDAY'S HEARING, TODAY'S IS ALSO ABOUT GENOCIDE. IT IS NOT AN INTERNAL MATTER, NOR A CIVIL WAR -- IT IS GENOCIDE DISGUISED AS A WAR.

THE INTERNATIONAL COMMUNITY HAS BEEN BEATEN BACK BY THE SERB MILITANTS IN WHAT HAS BECOME A GAME OF BLUFF. THE SERB MILITANTS CLEARLY ESCALATE THE VIOLENCE, OR THREATEN TO DO SO, BECAUSE THEY KNOW WE ARE UNWILLING TO ESCALATE IN RESPONSE. OUR THREATS AGAINST THEM LACK THE CREDIBILITY THEY MAY HAVE HAD. OFFICIALS DIRECTING UNITED NATIONS AND NATO EFFORTS HAVE FAILED NOT ONLY TO STOP VICIOUS SERB AGGRESSION, BUT ALSO TO ENFORCE THERE OWN SECURITY COUNCIL RESOLUTIONS. INSTEAD THEY HAVE RESORTED TO MUTUAL RECRIMINATIONS, TWISTED EXPLANATIONS AND EVEN BLAMING THE VICTIMS FOR THEIR FATE.

AS WE MEET HERE TODAY, SERB GUNNERS ARE POUNDING AWAY WITH RENEWED VIGOR, AND IMPUNITY, AT BIHAC -- A SO-CALLED "SAFE HAVEN" -- AND THE UN AND NATO STAND IMPOTENT. THESE ARE NOT SAFE AREAS, THEY ARE GHETTOS HELD HOSTAGE BY UNRELENTING SERB AGGRESSION.

LAST SUMMER, THE CONTACT GROUP OFFERED THE BOSNIAN GOVERNMENT AND THE SERB MILITANTS A PLAN ON A TAKE-IT-OR-LEAVE-IT BASIS, WITH A DEADLINE FOR AN UNCONDITIONAL ANSWER AND WARNINGS OF REPERCUSSIONS FOR ANY SIDE REJECTING IT. SARAJEVO ACCEPTED IT, IN TIME AND WITHOUT CONDITION. THE MILITANTS EFFECTIVELY REJECTED IT. AS SANCTIONS WERE THEN EASED ON SERBIA IN RESPONSE, THE DEADLINE FOR BOSNIAN SERB ACCEPTANCE WAS EXTENDED INDEFINITELY. AT PRESENT, THERE SEEMS TO BE NO ACTION UNDER CONSIDERATION FOR MAKING THE BOSNIAN SERBS RELINQUISH ANY TERRITORY. GESTURES TO MILOSEVIC HAVE NOT WORKED, YET MORE GESTURES ARE BEING CONSIDERED. I AM HARD PRESSED TO CALL THIS ANYTHING BUT APPEASEMENT IN THE WORST SENSE OF THAT TERM.

AS CHAIRMAN SMITH SAID AT OUR JANUARY HEARING ON BOSNIA, THROUGH ALL THE COMPLEXITIES OF THE BALKANS THAT WE MUST

CONSIDER, ONE GENERIC FACT REMAINS – YOU REWARD THE AGGRESSOR, AND YOU GET MORE AGGRESSION. IT IS AS SIMPLE AS THAT.

THE U.S. CONGRESS IS ON RECORD IN SUPPORT OF LIFTING THE ARMS EMBARGO TO ENABLE THE PEOPLE OF BOSNIA TO DEFEND THEMSELVES AGAINST AGGRESSION AND GENOCIDE. RECOGNIZING THE RIGHT TO SELF-DEFENSE IS THE MINIMUM THAT MUST BE GRANTED TO THE VICTIMS OF THIS VICIOUS AGGRESSION. NATO AND THE UNITED NATIONS MUST ENFORCE THEIR OWN DECLARATIONS TO RETALIATE AGAINST THE CONTINUING ATTACKS ON THE DESIGNATED "SAFE AREAS". IF WE CONTINUE THIS SEEMINGLY ENDLESS SPIRAL OF INACTION, IDLE TALK AND SLIDING DEADLINES, WE CAN BE VIRTUALLY ASSURED THAT THERE WILL BE ONLY MORE AGGRESSION AND GENOCIDE. THIS MUST NOT HAPPEN.

STATEMENT BY RICHARD C. HOLBROOKE
ASSISTANT SECRETARY OF STATE
FOR EUROPEAN AND CANADIAN AFFAIRS
before
COMMISSION ON SECURITY AND COOPERATION IN EUROPE
APRIL 6, 1995

Mr. Chairman, I am delighted to appear before this distinguished Commission to share my thoughts on events in the former Yugoslavia.

As we move into the spring and summer months we have been working to prevent renewed fighting not only in Bosnia but in Croatia and elsewhere in the Balkans. I am pleased to report that our efforts in Croatia have helped prevent, at least for the moment, the wider war we all feared. I am equally disappointed that diplomacy has been unable to prevent the likely resumption of the tragic conflict in Bosnia. Let me elaborate on our recent efforts, starting with Croatia.

The situation in Croatia has been at a virtual stalemate since 1992, when UNPROFOR was established to help restore peace and pave the way for talks between the Zagreb Government and breakaway Serbs. As a result, Croatian President Tudjman decided in January to end UNPROFOR's mission in Croatia, preparing a military assault to re-take the 27 percent of Croatia still in Serb hands while pursuing economic and

political talks with the Serbs.

In response to these pressure tactics, however, the Serbs became recalcitrant. President Milosevic in Belgrade rejected proposals from the Contact Group and from Zagreb to recognize Croatia. The Croatian Serb leadership in Knin suspended talks with Zagreb on reopening transport routes and restoring utility supplies. This gave Croatia even less reason to reconsider the decision to expel the UN forces. The result was an escalating spiral of tension: both sides digging in -- literally and figuratively -- and likely to start fighting over the buffer zone that the UN would have to vacate.

To break this dangerous spiral, I went to Zagreb with a two-part message: we support the goal of Croatian reintegration, but we think expelling the UN would unavoidably re-start the war. I explored with President Tudjman possibilities for maintaining an international presence in Croatia that does not perpetuate an unjust status quo, but that helps avoid hostilities. He emphasized the importance of controlling Croatia's border, to deter Serbian military equipment and personnel from coming into Croatia out of Serbia and Bosnia.

My meetings in Zagreb were followed by an important agreement reached between Vice President Gore and President Tudjman in Copenhagen. The Gore-Tudjman agreement struck a fair balance between maintaining the UN's peacekeeping presence

while recognizing Croatia's legitimate right to control its internationally recognized borders.

On March 31, the UN Security Council unanimously passed three resolutions, one establishing a new UN Peacekeeping Operation in Croatia, or UNCRO; a second extending the existing the existing peacekeeping operation -- UNPROFOR -- in Bosnia; and the third renewing the existing peacekeeping operation in the former Yugoslav Republic of Macedonia under the new name of UN Preventive Deployment Force (UNPREDEP).

The reconfigured force in Croatia, the mandate for which will be in effect until the end of 1995, will monitor Croatia's international border, help implement the ceasefire and economic agreements, and facilitate the passage of humanitarian supplies headed through Croatia to Bosnia.

The Council's action demonstrated UN resolve to help create the conditions for the peaceful resolution of growing tensions and conflicts. At the same time, much remains to be done. In Croatia, UN officials led by former Norwegian Foreign Minister Thorvald Stoltenberg will be discussing with the parties the modalities for the new peacekeeping force. In Bosnia, which I will address more directly in a moment, escalating fighting threatens the humanitarian and peacekeeping role played by UNPROFOR.

Above all, the renewal of the UN mandate in Croatia represents a significant diplomatic achievement for the United States. The personal intervention of the Vice President was instrumental in reaching a compromise that helped avert a wider war in the Balkans this spring. While I do not wish to leave the impression that the situation in Croatia is now solved, I am pleased that our work has moved to create conditions under which differences between Croatians and Knin Serbs can be reached at the negotiating table, not on the battlefield.

Mr. Chairman, I wish I could give you an equally upbeat report on our efforts to bring an end to the tragic conflict in Bosnia, but I cannot. While we continue to work through the Contact Group (U.S., Russia, France, UK, and Germany), our occasional achievements have been outweighed by our inability to convince the Pale Serbs to accept the Contact Group plan. Our goal nevertheless remains to end the war in Bosnia in a manner consistent with that plan and its two main features: a 51/49 territorial division and the preservation of Bosnia's sovereignty and territorial integrity.

The U.S. believes that a lasting settlement in Bosnia can only come through a political settlement. To create conditions conducive to negotiations, we helped the parties achieve a ceasefire and formal cessation of hostilities late last year. We hope that the ceasefire can be extended beyond its current expiration date of April 30. But as the current ceasefire begins to fray, we are entering a very precarious stage of the Bosnian crisis. In coming months, we face a real risk of renewed and more destructive conflict.

In conjunction with our efforts to extend the Cessation Agreement, we have explored every opportunity to end the war by diplomatic means. Contact Group talks with the Pale Serbs did not succeed, primarily because of the intransigence of Bosnian Serb leader Karadzic. The Contact Group also explored another initiative, backed by Bosnian President Izetbegovic, that would tie Milosevic's recognition of Bosnia and other former Yugoslav republics to sanctions relief for Serbia for limited, renewable periods. This route, too, appears to be closing.

In spite of the dangers presented by renewed fighting, we believe UNPROFOR's mission should continue. The role that the UN has played in assuring delivery of humanitarian assistance has been the untold success story of the international community's response to the war in Bosnia. We are proud that the U.S. has been the largest single-country humanitarian aid donor to the region ($780 million since 1991), the largest food donor, and has performed over three-quarters of all airdrops. While much attention has been put on the difficulties faced by UNPROFOR in enforcing its mandate, too little has been put on the countless lives it has saved.

While we appreciate the work the UN has done in alleviating the suffering and hope that conditions permit it to remain in Bosnia, if it ultimately proves necessary to withdraw UNPROFOR, President Clinton is committed, in principle, to provide U.S. support. This would include the use of ground forces to any future NATO-led operation to help assure a safe withdrawal. NATO planning for this contingency is underway.

Mr. Chairman, we have also expended much effort in support of the Federation of Bosniac Muslims and Bosnian Croats. Just a few weeks ago Secretary Christopher hosted an event at the State Department to mark the first anniversary of the Washington accords, which established the Federation. We are taking additional steps to support the Bosnian Federation, which has improved the prospects for an overall settlement, helped end the fighting in central Bosnia, and reopened humanitarian convoy routes. At the request of the parties Secretary Christopher recently named a distinguished former State Department Legal Advisor, Roberts Owen, as Arbitrator for the Federation. Mr. Owen has already begun the work of settling nettlesome disputes between the parties. We have also announced the selection of Maj. Gen. (Ret.) John Sewall as a special advisor for the purpose of integrating the Federation's military forces. We are co-sponsoring, along with the EU, the Friends of the Federation, a consultative and donor group of nations which support the Federation. We remain convinced that Federation is the only viable model for reconciliation and peace in the region.

We also remain committed to seeing that those responsible for ethnic cleansing and other war crimes are brought to justice. The International Tribunal, which we pressed to establish and are providing with personnel and other services, has issued its first indictments and is expected to issue more shortly.

We have taken a leadership role in NATO decisions on Bosnia. NATO has done what it has been asked to do, and stands ready to provide close air support to UNPROFOR under existing authority. That authority, however, has rarely been invoked by UNPROFOR under the cumbersome dual-key arrangement that requires the approval of both organizations before air support can be used. But I would like to stress that NATO agreed to use air power as necessary to end the Serb strangulation of Sarajevo and protect other safe areas; to establish heavy-weapon exclusion zones around Sarajevo and Gorazde; to enforce the no-fly zone; and to support enforcement of sanctions. We continue to discuss within NATO and at the UN the best way to coordinate these activities.

Thank you, Mr. Chairman. I would be happy to answer any questions you or your colleagues may have.

NEW MANDATES AND OLD LIMITATIONS: SEARCHING FOR LEAST BAD POLICIES IN THE FORMER YUGOSLAVIA

John R. Lampe
Director, East European Studies
Woodrow Wilson International Center for Scholars
Washington, D. C.

TESTIMONY TO THE HELSINKI COMMISSION OF THE CONGRESS
APRIL 6, 1995

The tragic timing of this meeting brings us together on the day after the third anniversary of war's outbreak in Bosnia. As yet another cease-fire breaks down, my third appearance before this committee finds us no closer to a full or fair settlement. The first Serbian shells hit Sarajevo on April 6, 1992, ironically the same day as the Nazi bombing of Belgrade in 1941. That earlier attack marked the end of the first Yugoslavia, as the more recent attack constituted the last act in the collapse of the second Yugoslavia. We are not here to discuss how the Bosnian, or the Croatian wars started, or even what the United States could or should have done to prevent or stop them. The Bosnian Serb and Serbian responsibility for firing the first shots and inflicting the great majority of initial casualties and depredations still allows us to attach the responsibility for "aggression" as defined by any dictionary to their conduct. Since then, however, the conflict has now become primarily an ongoing civil war within Bosnia and a suspended one within Croatia. While the Bosnian Muslims have suffered over one-half of the perhaps 250,000 dead or missing in the ongoing war, Bosnian Serbs account for fully one-third according to a recent German estimate.

Neither the United States nor the major European governments have considered these

wars a sufficient threat to their vital interests to commit the considerable resources needed to end them. We are all responsible for these decisions, rather than the NATO alliance or the often criticized United Nations.

Let me cut short even this briefest summary of my own judgement by calling your attention to two well-informed scholarly appraisals of what happened: V.P. Gagnon, Jr.'s article in International Security and the forthcoming second edition of Lenard Cohen's book, Broken Bonds.[1] On historical background and the absence of "age-old antagonisms" especially in Bosnia, I recommend to you The Muslims of Bosnia-Herzegovina, edited by Mark Pinson, (Cambridge, Mass.: Harvard University Press, 1994). My nominees for eye-witness accounts are Ed Vulliamy's Seasons in Hell and Warren Zimmermann's two accounts of his tour as the last US ambassador, in our East European Studies Newsletter (appended) and in the March/April issue of Foreign Affairs.[2]

Whatever the past failings or misjudgments of US and Western policy, we now face a fourth and probably fifth year of the Bosnian war. Before it began, Haris Silajdžić, now the Bosnian Prime Minister, told me of his fear that if fighting broke out in Bosnia, it would last for much longer than five years. Roger Cohen, writing in the March 29 New York Times about "facing facts in the Balkans," worries about the grim reality that no diplomatic solution is in sight.

All the more reason, I would argue, that the new, separate United Nations mandates for

Bosnia, Croatia, and the Former Yugoslav Republic of Macedonia be regarded as the least bad means of buying another eight months in which the killing can be kept to a minimum in Bosnia, despite the already expiring cease-fire, and the hard search for some settlement in Croatia and the easier search in Macedonia can be pursued by all diplomatic means. Even "small solutions" there, plus the possibility of an invigorated Bosnian Federation between the Bosnian Muslims and Croats, may open the way to some meaningful concessions from the Bosnian Serb leadership. At the least, Pale's quarantine within a circle of internationally guaranteed settlements, even small ones, can be tightened. Under such conditions, the remaining Bosnian Serb population might well begin to press their leaders for a settlement.

Let me turn from those slightly hopeful prospects for the new UN mandates to another sort of argument in their favor. What would happen if the UN peace-keepers or perhaps just their European contingents were withdrawn, even with no peace but a partial truce to keep in Bosnia? Surely the heavier fire power available to the Bosnian Serb forces would inflict heavy civilian casualties as the Bosnian government pushed ahead with its larger troop strength to secure routes to the Adriatic for access to external supply before the next winter. One danger for such a UN withdrawal from Bosnia has now passed with the mandate to keep a reduced but real force in Croatia. The Western governments with contingents there had made it clear that, were President Tudjman's demand of January 12 that they leave to stand, they would regard their Bosnian contingents as insupportable and pull them out as well.

A unilateral US decision to lift the arms embargo on the Bosnian government would sadly

constitute another danger. I acknowledge the unintended injustice of its original imposition, as those who support its lifting have emphasized. But as with so much in this war, what would have helped once will only hurt now. Our NATO allies have also made it clear that if we "choose sides" by providing an arms credit and third country training for the Bosnian government, as our legislation proposes, they will withdraw their UN contingents. And in that case, the United States is committed, according to the agreement reached at the NATO meeting this past autumn, to providing 25,000 or more troops to assist in the safe withdrawal of these scattered contingents. Why would any Serb commander allow such an operation to proceed peacefully if it were a prelude to one of its participants supplying the other side with arms and training?

Let us say, however, that the withdrawal could be accomplished without the significant US involvement on the ground that virtually all of the Congress has opposed. Then "lift and stay" would be replaced by "lift and pray," for the modest credit of $50 million would fall well short of assembling the heavy weaponry needed to match Serb firepower. The sum of $500 million seems more appropriate, plus the introduction of American ground personnel first for advising and then for spotting when the inevitable Serb assaults on Sarajevo and Tuzla bring requests for air support that only the United States can deliver. In summary, I fully support the administration's reluctant decision to oppose any unilateral lifting of the arms embargo on the Bosnian government.

If the scenario for "lift and pray" takes us beyond the political will and best interests of

the United States, what then lies within those confines? Two recent articles, in Foreign Policy and Foreign Affairs respectively, offer some insight.[3] In the first article, John Reilly reports on the 1994 poll of elite and public opinion taken by the Chicago Council on Foreign Relations. Public support for taking "an active part in world affairs" approaches 100 percent and for strengthening the UN's role, 51 percent, up from 44 percent in 1990. On the other hand, support for the United States "protecting weaker countries from foreign aggression" has dropped sharply from 57 to 24 percent and for protecting human rights from 58 to 34 percent. Bosnia stands 17th in a ranking of 24 countries by public perception of vital US interests, at 44 percent, just behind Egypt and ahead of Rwanda and Poland. Yet the public also regards Bosnia as the area where American foreign policy has failed most badly, with 93 percent calling our performance fair or poor.

Andrew Kohut and Robert Toth draw on a variety of recent polls to suggest in Foreign Affairs that a majority of public opinion has consistently opposed unilateral military action by the United States and only a minority of 33 percent expressed sympathy for the Bosnian Muslims as the particularly aggrieved party. When the question was rephrased for a control group to check for possible religious prejudice, "Bosnians" received the insignificantly larger figure of 35 percent. But the most recent poll by the University of Maryland, from April 1994, confirms its earlier finding that public opinion is nonetheless prepared to support US participation in UN forces in Bosnia, either for the present delivery of humanitarian supplies or for future duty in the genuine peace-keeping force that would accompany some sort of settlement. Fully 73 percent approved of those prospects. I very much regret that the Bush administration sent

American troops to Somalia in 1992 and that the Clinton administration kept them there too long, instead of sending a contingent to Bosnia to join and make the UNPROFOR a more formidable enterprise from the start.

With the feasibility of some future American participation still in mind, let me return to the three mandates and the prospects that they hold for the situation on the ground in the former Yugoslavia:

Bosnia. In his analysis in the appended East European Studies Meeting Report of May-June 1994, James Gow, the leading British expert on the former Yugoslav militaries, called our attention to the impending stalemate on the ground in Bosnia-Herzegovina. Now we see that, with sufficient men in trained units with good small arms, the roughly twice larger army of the Bosnian government is able to fight on more than one front at the same time, but can make only very limited advances. Any large-scale advance for this year remains likely to bog down, only in part because of Bosnian Serb heavy artillery and tanks, as occurred in Bihac last year. We should not overlook the fact that the great majority of the Bosnian Serb forces see themselves as defending the localities in which they have lived for many generations.

Under these stalemated circumstances, the continued presence of 24,000 UNPROFOR troops will reduce civilian casualties and make certain that some lines of supply will be open for the next wartime winter that is probably coming. That presence also reopens the possibility to exert the one sort of American-led military pressure that seems feasible against the Bosnian Serbs. Let us not abandon efforts to persuade our allies that the previously mocked NATO air

strikes could still be made effective against any assault on the urban "exclusion zones." If robust, that recourse would deny the Bosnian Serb forces the chance to punish civilian targets for Bosnian army advances. In addition to repairing NATO's credibility in the region, such limited use of force would also push both parties to the same sobering conclusion reached by the New York Times editorial on April 1. It exhorted "all sides to give up their dreams of military victory and accept a negotiated compromise." The Bosnian Prime Minister has recently repeated his government's readiness to return to the contact group's least bad plan of last year; a Bosnian military commander has stated that even in case of military victory, his side seeks no more than the 51 percent of territory as allocated under the plan.

The Bosnian Serb side should come to terms with that percentage, if not the exact contours of a map about which both sides can complain and should bargain further. Pale's international isolation has only increased with the departure of previous Russian support. The Serbian regime of Slobodan Milošević clearly objects to the continued leadership of Radovan Karadžić. The latter's regime is thus in a weaker position than last year and may yet come to the bargaining table.

In the meantime, I strongly endorse the State Department's initiative within Bosnia-Herzegovina so that the moribund Federation can transform itself from a cease-fire between the Croats and the Bosnian Muslims into a vehicle for multi-ethnic cooperation. Both sides presently have legitimate complaints about the other, the Croats over their minimal presence in the Bosnian government and the Muslims over the appalling situation their fellows face in

Herzegovina in general and Mostar in particular. The Congress can do no better in Bosnia than to support this groundwork for the sort of society that the people we all admire in Sarajevo thought would emerge in 1991.

Croatia. The small UN force of 8,000 in Croatia, reduced from 12,000 and renamed the UN Confidence Restoring Operation in Croatia, should keep the Serb-Croat war from erupting again as it surely would have if all forces had been withdrawn. The detailing of 1,000 of those troops to monitor Croatia's border with Bosnia and its Serbs will probably serve no effective purpose, but those on the border with Serbia may well do so. They could testify to the bona fides of the Serbian government's restriction of arms and military supply traffic with the Croatian Serbs that should be part of any acceptable agreement to lift economic sanctions on Milošević's Serbia. If lifted only for a limited time, as Misha Glenny suggested in the New York Times of March 16, and in return for some recognition of Bosnia as well, such an agreement would use Serbian public opinion to Western advantage for once. It would also put further pressure on the isolated Karadžić regime to move toward an international agreement itself. As for Croatia itself, let Ambassador Peter Galbraith go ahead with the Z-4 negotiations to reconcile substantial Serb autonomy in the Krajina with the establishment of Croatia's sovereignty over all its territory under equal conditions for all citizens.

Former Yugoslav Republic of Macedonia. Let me conclude by emphasizing how much it would help the various parties in taking the small steps noted above if the dispute between Athens and Skopje could be settled as soon as possible. The Greek embargo does more than damage the

chances for the fragile Macedonian economy to survive on the basis of legal private enterprise. The losses to the Greek economy are now mounting, and the losses to the port of Thessaloniki have become serious. The struggles of the Gligorov government in Skopje to come to satisfactory terms with a huge Albanian minority has implications for Greece's security as well. Thus the attractiveness of a "small solution" that postpones the issue of "the name," but trades some concession over the republic's flag and constitution for ending the Greek embargo. An increase in the symbolically important presence of US forces in the UN's Preventative Deployment Force there might well make clearer our determination to secure international recognition for that small state.

We desperately need one agreement in the region between the parties in dispute to start the movement toward other agreements. Otherwise, the "long twilight struggle" of which President Kennedy spoke in describing the Cold War will become a longer, darker struggle than any of us, with our still useful American optimism, could have imagined for this century's last years.

ENDNOTES

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MILITARY FORCES IN BOSNIA: ORIGINS AND PROSPECTS #95

James Gow's remarks for a Noon Discussion held at The Wilson Center on 17 May 1994 are presented as revised by the author. Subsequent events have made his third scenario unlikely. Dr. Gow is a Lecturer in War Studies at King's College and a Research Associate at the Centre for Defence Studies, both at University of London.

During the winter of 1993-94, a balance of forces developed in the war in Bosnia-Herzegovina which created the possibility that by spring it would be in the interests of all parties to seek an end to armed hostilities. This balance meant that there could be no decisive outcome on the battlefield. It is important to understand this balance in order to gauge the role of the international community, especially the United States, during a period in which peace may be at hand but may well not be grasped, leaving Bosnia to slide into at least another year of war. The following is an attempt to define the balance of military forces in Bosnia and the possible scenarios that flow from it.

Any discussion of military forces in Bosnia must begin with an understanding of how the various forces came to be operating there, which means understanding the genesis of the war. It has become a fashionable fallacy to believe that the war in Bosnia was a result of Germany's forcing the rest of the international community into recognizing the former Yugoslav republic. This myth is spun around the certainty that war would not have happened otherwise. To accept it is to misread the history and chronology of the Yugoslav war of dissolution. The war in Bosnia was not caused by international recognition, although recognition provided the eventual pretext for the broad escalation of hostilities already under way.

On 19 August 1991, the then-Yugoslav People's Army (JNA) began a war to create the borders of a new Yugoslavia within which there would be only "reliable" populations. Although the JNA set out to try to keep the old Yugoslav state together with a show-of-force policing operation in Slovenia, at this next stage, the army seems to have acted on the premise that the old Yugoslavia had ceased to exist. The JNA intensified the conflict in Croatia, launching significant offensives in western Slavonia and southern Dalmatia and initiating the siege of Vukovar in eastern Slavonia. At this moment, the army, increasingly influenced by "Greater Serbian" ideology, also began movements throughout Bosnia, including movements from Serbia into Bosnia, which in retrospect appear to have been preparations for war. In September, parallel with the army's activity, four Serbian Autonomous Regions were declared. (A fifth was later added.) Elements of the JNA were cooperating with the Serbian leadership in Bosnia to begin the process of breaking it up. The first discussion of Bosnian sovereignty came in October 1991 in response to these actions.

The best-armed military force in Bosnia, the army of the Serbian Republic (VRS), emerged as the direct successor of the JNA. It was formed in May 1992, six weeks after the onset of major hostilities in the country, in response to the United Nations Security Council's decision to impose sanctions on Serbia and Montenegro (the Federal Republic of Yugoslavia) because of the JNA's role in Bosnia. The JNA itself was divided--half became the VRS, half the army of Yugoslavia. As a result of the division, the Serbs in Bosnia, who were already well into a campaign of ethnic cleansing across northern and eastern Bosnia, were left with up to eight hundred pieces of heavy artillery and three hundred tanks. These were available to a force which has varied between 86,000 at its peak and perhaps 60,000 in 1994--of whom perhaps 45,000 are operational. With this force the VRS gained overwhelming weapons superiority--in both quantity and quality--over its adversaries. This enabled the Serbs to establish

dominion over the bulk of Bosnia, generating large population outflows from areas occupied.

At the same time, a number of urban areas, most notably the Bosnian capital, Sarajevo, were encircled, besieged, and bombarded with long-range artillery. This last tactic was adopted for at least two reasons: first, the Serbs did not want to engage in the extremely difficult street-to-street combat involved in capturing built-up areas; and second, despite the abundance of armament, the Serbs were short of manpower, making the task of capturing and holding large conurbations through combat yet more difficult. This lack of manpower, later, was a limitation on further Serbian ambitions. At various stages and in various ways, these difficulties have been eased by assistance from Belgrade. Serbia has provided medical and logistical support and small operational units, usually special forces such as the Sixty-Sixth and Eighty-Second Airborne brigades. This support, however, has not been extensive enough to overcome the lack of VRS personnel.

The expansion of the Bosnian army was another limit to Serbian ambition. The virtual absence of armed resistance was a major factor in the early Serbian successes, but the Bosnian army has developed considerably. In the spring of 1993, it had an operational strength of 40,000. One year later that number had doubled, and there was reserve capacity to expand the force to 200,000. In addition, the force structure became more sophisticated, evolving from four corps (of which one had little substance) into six, each with a regional dimension. The new structure reflected the higher levels of competence and organization in the Bosnian army, which, in turn, were a reflection of weapons supplies arriving despite the United Nations embargo. Using various channels, the Bosnian army was able to smuggle significant quantities of man-portable weaponry, especially anti-armor rocket systems. The growth in available armament enabled the Bosnian army to launch larger operations, thereby taking advantage of its greater manpower. It continued to be inhibited by the relative lack of heavy caliber equipment, however. In the spring of 1994, the Bosnian army's lack of big guns and tanks remained a major impediment to its prospects on the battlefield.

The Bosnian army began to obtain substantial weapons supplies in the early part of 1993. As those weapons appeared, renewed conflict broke out in central Bosnia between the Bosnian army and its ostensible ally against the Serbs, the Croatian Defense Council (HVO). Croatian strength and allegiance in Bosnia has been a swing factor. HVO troops number between 35,000 and 45,000. Originally allied with the Bosnian army, in April 1993, the bulk of the HVO fighting in central Bosnia and in Herzegovina turned against it. For almost a year, while Serbian sieges remained set around a number of Muslim communities and fighting continued in areas such as the Brčko corridor, the most vicious fighting was between the Bosnian army (increasingly Muslim-dominated, especially in the third corps in central Bosnia) and the Croats. The HVO was backed by the regular Croatian armed forces (approximately 5,000 "guard's brigade" troops) and superior logistics and planning. The intensity of the struggle weakened the Bosnian army's capacity to confront the VRS and made the political and diplomatic situation yet more complex.

The tide turned against the HVO during the winter of 1993-94, when it suffered a series of defeats in central Bosnia despite reinforcements from Croatia. At the end of the winter, the Croatian leadership was militarily and diplomatically constrained. It keenly sought an end to the losing war. Croatia was not strong enough to fight on two fronts--that is, in Croatia against the Krajina Serbs and in Bosnia against the Muslims and in some places the Serbs. With a personnel total (excluding the local forces in Bosnia) in the region of 100,000, an effective strength of about 55,000, and as few as one or two guards brigades (up to 10,000 troops) capable of significant, sophisticated operations, Croatian forces were overstretched. They continued to face an estimated 30,000 to 35,000 better equipped Serbs in the self-proclaimed Republic of Serbian Krajina (RSK) who, in the event that Croatia mounted a major assault, would probably receive reinforcements from Belgrade or Serbian forces in Bosnia, greatly reducing the chances of Croatian success. Only a highly improbable large-scale flare up in the Serbian province of Kosovo would have given Croatia some chance of taking Krajina by force. Even in that case, success would have been unlikely.

In this context, the initiatives of U.S. Special Envoy Charles Redman became attractive to the Croatian side. These initiatives drew strength from Croatia's longstanding desire to be taken seriously by the West. This desire finally resolved the internal policy debate on whether to stand for the integrity of a sovereign Bosnian state or, de facto, to connive in its dismemberment. The former held sway, albeit often ambiguously, in the earlier phases of the Bosnian war, the latter from April 1993 until the Redman initiative in February 1994. The initiative ended the Croat-Muslim war by establishing a

Muslim-Croat Federation within a sovereign Bosnia and obtaining agreement on the creation of an integrated military command.

The Redman initiative worked because the Muslims trusted the United States and because the Croats were keen to be taken seriously by U.S. representatives. Its success not only freed forces that had been in combat with each other to combine against the VRS but also made the smuggling of weapons to the Bosnian army far easier, given that consignments did not have to be brought through hostile lines. The Bosnian government clearly saw this particular merit of the Redman plan. For the Croatians, it was a way to turn military defeat into something that could look like "Greater Croatia" to Croatian nationalists and would place Croatia in American diplomatic good graces, even promising some kind of reward. The nature of the federation agreement, however, meant that its success would depend on continued U.S. input. Unless the Americans bound the agreement together, it would be unable to provide a political and military counterbalance to the Bosnian Serbs. If it failed, the result would be renewed Croat-Muslim fighting.

At this stage, it should be noted that localism within the general strategic framework of the political leaderships outlined so far was a prominent feature of the Bosnian war. The VRS and the HVO collaborated at Zavidovići. The HVO and the Bosnian army continued to pursue a similar collaboration near the critical point at Brčko. The Serbs experienced internal conflict in the Banja Luka region. Bosnian army troops fought followers of local leader Fikret Abdić in the northwestern Bihać pocket. This meant that although the broad contours of a settlement depended on the political-military leaders, local complexities also had to be taken into account. Local questions, however, did not alter the overall picture--military and political stalemate--that emerged at the end of the winter of 1993-94. That stalemate provided the international community an opportunity to seek a solution through the work of the United Nations-European Union-sponsored International Conference on the Former Yugoslavia (ICFY) in Geneva and the Contact Group (CG--made up of senior diplomats from the United States, the Russian Federation, France, Germany, and the United Kingdom). For the first time, with the ICFY's assistance, the CG was able to establish a single, coherent, international policy on the Bosnian war. A plan was devised to capitalize on the gridlock of war. Its success depended on the warring parties recognizing their own limitations.

The limitations of the parties were straightforward. The VRS had plenty of weapons, but lacked manpower. The Bosnian army-HVO had the necessary manpower, but not the weaponry. Without many more tanks and heavy guns, the Bosnian army could not take advantage of its superior manpower. It could not launch attacks on enough fronts simultaneously to put real pressure on the Serbs. Although short of numbers, the Serbs could always move enough troops around to block Bosnian offensives. Even with increased arms, the Bosnian army would find expanding the 33 percent of territory controlled by the federation to the 58 percent claimed by it or even to the 51 percent proposed by the CG an uphill task. There was every prospect that more could be gained, more quickly and at less cost, if international pressure was applied to the Serbian camp at the negotiating table.

The CG plan, developed in detail during the spring of 1994, would create an internal partition of Bosnia-Herzegovina with 51 percent going to the Muslim-Croat Federation and 49 percent to Republic Srpska. It was presented on a take it or leave it basis: only "yes" or "no" answers were acceptable. If the answer was no, the international community would abandon its efforts, leaving the different Bosnian armies to fight another, probably more intense, round of war. At the time of this writing, there were four broad scenarios for the development of the Bosnian war in the second half of 1994.

Scenario One: The CG 51-49 plan is accepted by all parties, and the international community moves promptly into successful implementation. This would require not only a military element, coordinated by the North Atlantic Treaty Organization (NATO) and including between 10,000 and 25,000 U.S. personnel (essential to the credibility of the mission), but an enormous civilian component, with substantial civilian administration and engineering. It would not be an inexpensive undertaking. If the United States and NATO were to provide the military wherewithal, it would be incumbent upon the European Union (EU) to provide the bulk of the civilian input, including finance. The EU, neither as strong nor as wealthy as the United States was at the end of World War II, cannot be expected to play as much of a role. The scale of the problem, however, equals the reconstruction of Germany after 1945, and the EU is best placed to be the instrument of assistance and reconstruction.

Scenario Two: The plan is stalled--that is, it is either not fully accepted or it is accepted, in good faith or otherwise, but the international community

does not follow through to implement it. This would result in a new phase of fighting, probably more intense than that which has gone before. Neither side would be able to make significant progress as long as the United Nations Protection Force (UNPROFOR) remained on the ground. The continuing, if perhaps reduced, presence of UNPROFOR would mean that the shape of the war would alter little from that of the spring of 1994. The Bosnians would make repeated raids, take ground, then be blocked or hammered back by a Serbian counteroffensive. This could be a final phase of the war in which all sides finally realized their limitations. It would be one, however, in which the Muslim-Croat Federation might dissolve in renewed violence because the international community, especially the United States, has not remained committed. In addition, hostilities would no doubt begin again in Croatia. In this event, the growing impatience of the major contributors to UNPROFOR might result in its withdrawal. It is also probable that, despite agreement all around, prevarication by one or more of the parties would cause the international community to hesitate on implementation. Should events take this course, the outcome would effectively be the same as in Scenario Three, which in itself would make a full withdrawal highly improbable. In that case, the most likely outcome is partial withdrawal behind clear lines accompanied by measures to induce a positive response from Serbia with, if necessary, sustained aerial bombardment of Serbian positions.

Scenario Three: The CG plan is rejected by the Bosnian government and its partners in the federation, but the Bosnian Serbs accept it. In this case, the least likely given the Bosnian government's initial acceptance, the Serbian camp as a whole might be "rewarded" with initial steps toward a partial lifting of the sanctions, excluding those on oil and financial transactions, until there is a settlement. An additional goodwill gesture might be to begin enlistment or reinstatement of the Belgrade regime in the Conference on Security and Cooperation in Europe before the Budapest Follow-Up Summit in December 1994. At the same time, measures might be taken against the Bosnian government. These would include maintenance of the UN arms embargo on the former Yugoslav territories. Among the most radical steps would be the withdrawal of UNPROFOR. The Bosnian army relies heavily on UNPROFOR to slow the war and provide supplies. Their barbed criticism at other times notwithstanding, the reaction of Bosnian officials to British and French talk of withdrawal was a clear indication of the value of UNPROFOR to the Bosnian army. Withdrawal would also affect the Serbs, although less so. They rely on UNPROFOR to neutralize certain areas, thereby freeing precious Serbian manpower which otherwise would have to be deployed. It is conceivable that if UNPROFOR were withdrawn completely, the Muslims and others loyal to the Bosnian government would be left vulnerable to further suffering at the hands of both Serbs and Croats.

Scenario Four: The plan is rejected by the Bosnian Serbs, but accepted by everyone else. In this case, sanctions would be further tightened on the Serbian camp, there would be a temporary reinforcement of UNPROFOR (primarily with NATO troops backed by the use of offensive air power to ensure the force's security) prior to withdrawal, and the arms embargo against the Bosnian army would be lifted. Reinforcement of UNPROFOR would continue only until the force was withdrawn (probably in November) and the arms embargo was lifted. Thereafter, free to acquire the heavy weapons it lacks, the Bosnian army, in a joint structure with the HVO, would be able to utilize its superior manpower. This would be unlikely to bring anything like overall control of the territory of the Bosnian state. Indeed, were it to do so, it would only be as a result of the Bosnian army, intentionally or otherwise, cleansing Serbs from the land now held. A number of Bosnian Muslim losses, particularly the small enclaves in eastern Bosnia, offset by the ability to fight on three fronts at once, would be more likely. This would position the Bosnian army to stretch the VRS far enough to be able to make some gains on the ground. In particular, the Bosnian army would be in position to place decisive pressure on the most vital strategic point for the Serbs--the Brčko corridor in northeastern Bosnia. Seizing the corridor or even placing it under serious pressure could tip the balance away from the Serbs whenever there is a return to the negotiating table. This is the likely limit of what the Bosnian army might achieve. It could well accomplish far less, even were the arms embargo lifted, with a significant chance that it could lose more than it gains.

The essential point arising from these four scenarios is that the international community as a whole must maintain cohesion and a clear sense of direction. Its actions must be firm and clear, carried out with full political will and commitment of resources. If there is to be a significant change in the military-political balance, the reduced, business-as-usual Scenario Two must be rejected, even though it is perhaps the easiest option for governments consistently reluctant to make hard decisions. Scenario

Three seems unlikely to develop. This means that although circumstances may lead to a blurring of issues and the playing out of Scenario Two, the major governments in the international community must be prepared to commit their resources to full implementation of a settlement if the CG is successful or, in desperation and having done all they could otherwise, to reinforcement and withdrawal of troops while lifting the arms embargo on the Bosnian government.
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THE US AND BOSNIA--THE CHALLENGE CONTINUES #98

The ongoing war in Bosnia-Herzegovnia continues to bedevil Western policymakers and observers. Warren Zimmermann, the last U.S. ambassador to what is now the former Yugoslavia, addressed both the historical roots of the conflict and the options confronting policymakers incisively during his noon discussion of 26 September 1994. His remarks are presented here in their entirety. Ambassador Zimmermann is currently a Senior Fellow at the RAND Corporation in Washington, D.C., a Distinguished Fellow of the New School for Social Research in New York, and a professorial lecturer in European Studies at the Paul H. Nitze School of Advanced International Studies of the Johns Hopkins University in Washington, D.C.

The story of Yugoslavia's demise and Bosnia's travail has a villain--nationalism. Not the nationalism defined in Webster's dictionary as "loyalty and devotion to a nation." That nationalism can be beneficent and noothreatening. The nationalism I am talking about is the kind that elevates one ethnic group above another, that claims superiority based on race, that insists on special privileges not accorded other nations, that cites or creates history to justify expansionism, and that is prepared to use force to achieve its objectives. The two nationalisms on the territory of the former Yugoslavia which fit this aggressive definition are Serbian and, to a somewhat lesser extent, Croatian.

How did these virulent strains of nationalism arise in Yugoslavia? Many sources are possible; I will cite five. The first is "ancient enmities." There is no doubt that the Balkans have been a breeding ground for ethnic hostility since Roman times. World War II in Yugoslavia (in many respects a Yugoslav civil war) is the best example of internecine conflict among peoples who have differed in religion and historical experience and who, in some cases, could remember kingdoms which extended well beyond their current territory. Still, it's important not to exaggerate the importance of the "ancient enmities" explanation, which has proven so handy to those modern Western statesmen looking for arguments for not getting involved. This explanation does not tell us why Serbs lived in relative peace in Croatia for two centuries or why the three ethnic groups in Bosnia managed to coexist for so long. If the Serbs and Croats are ancient enemies, what about the English and the French, who fought more or less continuously from 1066 to 1815?

Second, nationalism also arose from pressures in Josip Broz Tito's Yugoslavia. There was a North-South division in both economic and political affairs. The more developed North--Slovenia and Croatia--felt a grievance because they had to subsidize the poorer South. Serbia, to the South, had a grievance because Tito had denied it the preponderant role it had played between the wars. The status quo was therefore intolerable to the three most influential republics of Yugoslavia.

The third source of nationalism was Tito's fragmentation of decision making. In preparing for his death, Tito promulgated a constitution in 1974 that made Yugoslavia ungovernable from the center. His motives probably included a desire to clip Serbia's wings as well as an effort to ensure that no new Tito's could arise from any republic. The result, ironically, was to give a territorial and political base in the republics to the very kind of nationalism that Tito had spent his career trying to stifle.

Fourth, nationalism arose on the ashes of Communism. In its decadent phase, Communism has proven to be an amazingly smooth transmission belt to the most virulent kinds of nationalism. The belief that the two ideologies have little in common is in need of drastic revision. In fact they share three

major elements. They are both collectivist--it's the group, not the individual, that counts. They are both exclusivist--those outside the group are pariahs, enemies, or traitors. And they are both militant--those pariahs, enemies, or traitors have to be eliminated. Slobodan Milošević of Serbia and Franjo Tudjman of Croatia, both former Communists, are the obvious Yugoslav examples of the link between Communism and nationalism.

Fifth, nationalism has found expression in the role of individuals. The age-old question of whether individuals affect history is not a subject of debate in the Balkans. A nationalist leader was sure to arise in Serbia during the 1980s. The fact that his name was Slobodan Milošević affected the destiny of every human being in Yugoslavia. Milošević, in my view, is not a genuine nationalist; he is an opportunist who has used nationalism to win and keep power. But his aggressive actions toward Kosovo, Slovenia, and Croatia spawned, or at least amplified, nationalisms of different kinds in each of those areas. In particular the fear of Milošević's Serbia helped bring to power a genuine nationalist of militant stripe--Franjo Tudjman--for whom Croatia was a Holy Land and he a Messiah.

Several different kinds of nationalism disturbed the final years of Yugoslavia and finally destroyed it. The most dangerous was Milošević's Serbian nationalism, because it lashed out against Albanians, Slovenes, and Croats. Slovenian nationalism, though supremely egocentric, had no particular targets or victims; the Slovenes simply wanted nothing to do with Yugoslavia. Albanian nationalism in Kosovo was primarily reactive to Milošević's assault on Albanian civil rights in the province. Croatian nationalism, with its stigma of World War II atrocities, was a sleeping monster that Milošević helped to awaken. His fulminations against Croatia were a factor in Tudjman's election. Thus, ironically, they facilitated Croatian attacks on the rights of Serbs living there.

Muslim nationalism, in contrast to the Serbian and Croatian varieties, was nonthreatening. Bosnia's president Alija Izetbegović never resembled the demon that both Tudjman and Milošević tried to make of him. Far from trying to create an Islamic state, Izetbegović actually went out of his way to preserve the multinational character of Bosnia. He insisted on maintaining an ethnic mixture in the Bosnian government, even when Bosnian Croats insisted that the Serbs be expelled from it. His reaching out won him the loyalty of most Bosnian Croats, who voted heavily in the referendum for Bosnian independence, and even of the thousands of Bosnian Serbs who remained in Sarajevo to be shelled by their nationalist compatriots. It was not Izetbegović, but Tudjman, Milošević, and Radovan Karadžić, the leader of the Bosnian Serbs, who laid the philosophical foundation for a Muslim state by insisting that Croats, Serbs, and Muslims should live separately.

Paradoxically, the democratic process stimulated nationalism in Yugoslavia. Because, for different reasons, Slovenia, Serbia, and Croatia blocked elections on the federal level, it was on the republican level, where nationalist forces were most effective, that the elections of 1990 were held. What emerged from those elections was a competing set of nationalisms, only one of which had an ideology and a strategy. This was Milošević's nationalism. The ideology was that all Serbs should live in one state. The strategy was to destabilize and, if necessary, attack neighboring republics to ensure that this was possible. Since Serbs lived in appreciable numbers in five of Yugoslavia's six republics and in both of its "autonomous provinces" (Kosovo and Vojvodina), the doctrine of "all Serbs in one state" made Serbia a permanent threat to its neighbors.

Although Croatia became the first victim of this Serbian strategy, Bosnia was always the most vulnerable. Indeed Bosnia was threatened in different ways by three nationalisms--by Slovenian nationalism, because Slovenia's secession strengthened Serbia; by Croatian nationalism, which claimed part of the territory of Bosnia-Herzegovina; and by Serbian nationalism with its aggressive ideology focusing on the Serbian minority in Bosnia. Izetbegović was forced to defend Bosnia against Serbian and Croatian accusations that it was an "artificial creation" with "administrative borders." In fact, as early as the twelfth century, a chronicler referred to the Drina River as the border between Serbia and Bosnia; and Bosnia's borders go back as far as the Treaty of Berlin of 1878--a long time for the Balkans. Bosnia, however, was an affront to Serb and Croat nationalists because it proved that people of different ethnic groups could live together peacefully.

Nor, as has often been alleged, is the Bosnian conflict primarily a civil war, though of course Bosnians are fighting Bosnians. It is more correctly seen as a war of aggression for which the Serbian operation in Croatia provided the model. In contrast to Croatia, where Serbian rights were violated, the Izetbegović government in Bosnia did

not provoke the Serbs. Milošević asserted to me several times that the Serbs had no grievances in Bosnia. Moreover, in cooperation with the moderate president of Macedonia, Kiro Gligorov, Izetbegović in early 1991 devised a plan for a federal Yugoslavia that Milošević actually embraced. And yet, long before Bosnia's declaration of independence, Milošević and Karadžić began colluding to carve out an independent Serbian state, closely following the Serbian playbook from Croatia.

The steps they took are cumulatively important. In May 1991, even before Slovenia and Croatia proclaimed their independence, Karadžić's party, the Serbian Democratic Party (SDS), declared three areas of Bosnia "Serb Autonomous Regions." By August there was evidence that the Yugoslav Army (JNA), by then under Milošević's influence, was arming the Bosnian Serbs. In September the JNA intervened to "protect" the Serbian areas, in actuality confirming their borders and autonomy. In October the Serbs withdrew their deputies from the Bosnian parliament and set up their own. In early 1992, the JNA infiltrated troops into Bosnia from Croatia and confiscated arms from the Bosnian government's territorial defense forces. On 2 March 1992, Serb paramilitary forces tried a putsch in Sarajevo, but backed down when unarmed civilians thronged the streets on behalf of Bosnian unity. In early April, the mask came off. Serbian irregulars poured across the Drina from Serbia to capture and pillage towns that had been predominantly Muslim for generations. The worst atrocities of an atrocious war were committed in that spring of 1992, mostly by Serbs from Serbia. Ever since, the JNA has been supplying the Bosnian Serbs from across the border, and the evidence is not yet convincing that this supply relationship has stopped.

Milošević and Karadžić argue that military action had to be taken in Bosnia because of the West's recognition of Bosnia's independence in April 1992. They claim that recognition put the Bosnian Serbs under the control of a hostile state. Izetbegović's counterclaim is that the only alternative to independence was to consign the Bosnian people to a rump Yugoslavia dominated by Serbia. I believe Izetbegović can be faulted for moving too fast to a referendum on independence. More importantly, however, the evidence that the two Serbian leaders had been maneuvering for more than a year to establish an independent Serbian state makes their arguments specious. They were planning all along to destroy Bosnia; Izetbegović's action simply gave them a useful pretext. In any case, there was no justification for the massive use of force on an unarmed and peaceful population.

The Serbian arguments got the reception they deserved in Western Europe and the United States, and Bosnia was thus rightly seen as the victim of aggression. Why, then, didn't the West react? It was clear that the Europeans wanted to avoid military involvement at all costs. Even the Germans, who had precipitated the Bosnian crisis through their irresponsible haste to extend diplomatic recognition to Croatia, drew back from any forceful response. In fact it seems plausible that the Europeans agreed to put peacekeepers on the ground in Bosnia partly to evade real military responsibilities. The presence of the United Nations Protection Force (UNPROFOR) became an all-purpose argument against any form of military action against the Serbs.

The Bush administration was clear about Serbian responsibility for the war in Bosnia. During the summer of 1992, I tried to push it beyond the economic sanctions which the United Nations Security Council had voted in May 1992 because I believed that limited air strikes on Bosnian Serb military targets would cause the Serbs to draw back. We were not dealing with fanatical and determined forces, as we had been in Vietnam, but with soldiers and irregulars who would push as far as they could until somebody pushed back. For them the Bosnian campaign was an adventure, not a sacred mission. In such circumstances, air power, which had failed in Vietnam and had been less than decisive in the Gulf War, had a real chance of success.

President George Bush and his senior advisers saw things differently. They remained traumatized by the fear that any introduction of U.S. forces would escalate into a Vietnam-style commitment. Moreover, the success of the Gulf War had convinced General Colin Powell, Chairman of the Joint Chiefs of Staff, that the United States should never engage troops without the certainty of complete success and minimal casualties. Finally, the presidential election impended, and the politicians' word for Bosnia was "Tar Baby." President Bill Clinton, who had used militant rhetoric during the campaign, seemed as uncomfortable with the use of force in Bosnia as elsewhere. Thus, two administrations conveyed a signal of American weakness to the aggressors in Bosnia.

The situation has now drifted to the point where any conceivable outcome leaves the aggressor with most of the fruits of aggression. I see no good

alternative to a settlement along the lines of the proposal to reserve 51 percent of Bosnia to the Bosnian-Croatian coalition and 49 percent to the Serbs. Any chance of achieving this outcome, in the face of Bosnian Serb opposition, will involve continued pressure on Karadžić and Milošević. North Atlantic Treaty Organization (NATO) air strikes, particularly around Sarajevo, which is again being strangled, would still be useful even at this late date. Sanctions should not be lifted from Serbia until it is clear that its military supply relationship with the Bosnian Serbs has ceased, indeed until the 51-49 percent agreement is being implemented. Unfortunately, the Security Council, with U.S. support, took a step in the wrong direction in agreeing to a partial lifting of sanctions. This is also a bad time to lift the arms embargo on Bosnia, an action better left as a fallback if the current settlement efforts fail.

The situation in Bosnia therefore continues to challenge the United States. For a host of geostrategic, political, and moral reasons we cannot remain disengaged without major cost. Moreover, the challenge goes beyond Bosnia itself. The situation in that country is not unique to Bosnia; in fact Bosnia-like crises are likely to be more typical in the future than challenges of the sort presented by the Gulf War. We are in a new age of ethnically driven nationalism of a particularly violent strain. It is changing the face of Europe, but it exists elsewhere as well, as the tragedy of Rwanda shows.

One way to describe the challenge is as a conflict between the principle of the nation-state and the principle of multinationalism. Yugoslavia turned violent because of Serbian and Croatian drives for single-nation states. Ethnic cleansing--dividing ethnic groups by force--was a classic expression of such drives. But almost all the states in the world (Japan is a notable exception) are multinational. History does not favor the nation-state concept. All Serbs do not live in one state. Neither do all Germans, all Italians, all Russians, all Dutch, all Chinese, all Indians, or all Palestinians. If stability cannot be constructed on a multinational principle (as two-thirds of all Bosnians wanted), then the twenty-first century will be an unstable time for us all.

This is not a plea for preservation of the status quo. There are good reasons for some states to disintegrate. For example, unlike Yugoslavia, the Soviet Union was a centralized tyranny by one ethnic group with a uniquely malevolent ideology. The world is better off without it. I do make a plea, however, for a colder eye to be cast on the claims of self-determination and on the temptation to meddle with borders. At the same time, there need to be more effective international mechanisms to protect the rights of minorities, in fact to prevent human rights abuses in general within a state's borders. There also need to be better ways to use force at an early stage against aggressive nationalists, who seem to understand nothing except force. This means the nearly impossible task of improving the United Nations peacekeeping and peacemaking apparatus, mandate, and mission.

It seems to me inconceivable that the United States can long hang back from leading the effort to meet these daunting challenges. Of course we must be selective in the burdens we choose to shoulder. But only we have the power and the moral authority to make a difference. And only we, as the most successful multiethnic country in the world, have a special obligation to heed the appeals of those peoples who want the same kind of society we have, one where ethnic groups can coexist and compete in at least relative harmony and peace. **Warren Zimmermann**

"Bosnia and Beyond: The Failure of the International Presence and its Consequences"
Remarks Prepared for Delivery by
Stephen W. Walker
at
Helsinki Commission Hearing on 4/6/95

Mister Chairman, Mister Co-Chairman, Members of the Commission:

I am honored to appear before this distinguished panel. The Helsinki Commission and its members have played a vital role in examining the crisis in the former Yugoslavia and in supporting a more rational U.S. policy toward the region. In particular, I would like to cite the leadership members of this Commission have shown in sponsoring legislation to end the U.S. arms embargo against Bosnia. I would add that one of the few positive shifts in U.S. policy since I resigned from the Department of State in August 1993 was the Defense Authorization Act's termination of U.S. participation in enforcement of the invalid UN arms embargo against Bosnia.

The subject of today's hearing is, unfortunately, even more urgent than at the time of my resignation. Then, a prolonged and widening war in the Balkans appeared likely. Under present circumstances, it appears inevitable.

Today, the genocide and aggression in Bosnia enters its fourth year. The international community has not ignored these outrages, but its record is, at best, mixed, at worst, complicitous and dishonest. As we examine the new UN mandate in Croatia and the future role of the UN and NATO throughout the former Yugoslavia, the failure of these institutions and the states they represent offers a sobering view of the international presence in the region and should compel a radical shift in U.S. policy. My analysis of this record may appear quite harsh. It is. I readily admit that the UN, NATO and the courageous men and women acting on their behalf have done some good and have saved lives. But one can call their work a success only if one compares it to doing nothing. And that is an unacceptable standard, even for the most craven supporters of Serbia's expansionist regime.

The cost of the international presence in the former Yugoslavia bears an enormous price tag not only in terms of U.S. tax dollars -- with the yearly U.S. contribution approximately one-half billion tax dollars to support UNPROFOR alone -- but also in its damage to U.S. interests. Fifty years ago, we learned very painful lessons about aggression, fascism, and genocide. In an attempt to prevent or, perhaps, prepare for the recurrence of such threats to international peace, the United States and its allies spearheaded a movement to create a series of institutions based on principles and commitments that were intended to preserve and protect international security in the post-war era. In the past three years, however, we have watched -- and participated in -- the violation and desecration of those core principles and the humiliation of those same institutions.

The failure of the international community -- and, in particular, the UN and NATO -- in the former Yugoslavia can be traced to a lack of committed leadership and political will, especially of the United States, to use force in confronting Serbian aggression in the Balkans. I single out the U.S. because the UN and NATO are merely collections of individual states and the U.S. alone has the clout and leverage to lead those states in the right direction.

We must accept the political and military reality that force must be credibly threatened or used when confronting a hostile state willing to violate international law, the UN Charter, countless UN Security Council resolutions, and the Helsinki Accords, to ignore NATO ultimata, and to commit genocide in order to fulfill its expansionist aims. In the face of Serbian aggression, any realistic policy must have two tracks. The political

track--negotiations—should be complemented and backed by a military track that would stop the aggression and threaten the Serbs so that they have more to lose by fighting than by negotiating. Allowing the Bosnians to defend themselves and fulfilling NATO commitments to protect the so-called "safe areas" has long appeared to be the most logical military course.

If force is not an option, then attempts at negotiation will fail, the aggression will continue, our principles and laws will lose meaning, and the institutions created to protect those principles and laws will lose credibility.

There have been three options for addressing Serbian aggression in the former Yugoslavia. The first option is for the international community to respect Bosnia's inherent right to self defense and allow the legitimate government of Bosnia to defend its citizens and territory against aggression and genocide. The second option is for the international community to intervene itself to protect Bosnia and its citizens. Or, third, we could use a combination of the first two, involving a more limited international intervention in support of Bosnia's efforts to defend itself.

The Clinton Administration has been satisfied with a fourth option, the "Potemkin village" policy. This policy offers the appearance of a rational response to the Balkan conflict that is, in fact, utterly disconnected from the realities on the ground. It is a policy that offers no real hope for peace in Bosnia. It is a policy that not only abandons our principles and interests, but also violates a core principle valued by all Americans and acknowledged by the drafters of the UN Charter: the inherent right to self defense.

Initially, the response of the international community to aggression in Croatia and Bosnia was slightly more rational, if not more forceful, than it is today. In Croatia, UN mediator Cyrus Vance negotiated a cease-fire accord that offered some prospect for restoring peace and stability. Under the Vance Plan, UN forces were to facilitate the return of refugees and the reassertion of Croatian sovereignty over occupied territories while Serbian forces either withdrew or were demilitarized.

Unfortunately, like so much else of the West's policy performance in the face of Serbian aggression, the UN's actual record in carrying out these duties has bordered on the farcical. Rather than facilitating the return of 400,000 refugees, the UN has supervised the exodus -- at times in its own buses -- of 40,000 more. Rather than facilitating the withdrawal of Serbian troops, the UN has allowed them to entrench themselves with the uninterrupted support of Serbian President Slobodan Milosevic's expansionist Belgrade regime, launching regular rocket and mortar attacks on Croatian cities and towns and effectively cutting off the Dalmatian coast from the rest of Croatia. Rather than ensuring that Serbia honored its pledges to cut off its Krajina proxies, the UN has watched blithely as troops, arms, and materiel have poured from Serbia, across Bosnia, and into Croatia. Rather than facilitating the return of Croatian control over its lands, the UN has left Croatia's territorial integrity and sovereignty more in doubt than ever before.

Rather than protecting the citizens of the so-called "protected areas" from -- or even monitoring -- Serbian violations of countless Security Council resolutions, UN troops, particularly those from Russia and the Ukraine, have developed fraternal relations with the Serbian occupiers by accepting gifts from them, cooperating with them in a black market economy on the territories, and refusing to deploy their forces at night, when the re-supply trucks thunder in and out of the territories.

Last month, under the Croatian Government's threat to evict UNPROFOR from its country, the U.S. and its Contact Group partners agreed to re-vamp the UN mandate in ways that might prevent a replay of some of these failures. Unfortunately, the new mandate for Croatia offers only a symbolic reaffirmation of Croatia's territorial integrity and sovereignty. It does not disguise its authors' lack of will to actually seal Croatia's borders. Serbia's occupation, which is dependent upon the Krajina Serbs' receipt of weapons, fuel, and other materiel from Belgrade, will continue. Abandoned by the UN, NATO and the U.S., Croatia will

eventually take matters into its own hands. Therefore, another opportunity to change course and embrace a policy that offers some hope for a sustainable peace was lost.

The lessons of the failed UN mission in Croatia should not be lost on those who support the Contact Group's partition plan for Bosnia and should chasten those who would commit tens of thousands of U.S. ground troops to enforce any agreement based on that plan.

In Bosnia, the Administration has resigned itself to prolonging an illusory status quo that in reality prolongs and widens the war. Since at least May 1993, when the Administration abandoned its plan to lift the arms embargo and launch air strikes, U.S. policy has been to keep Bosnia off the front pages and off the President's lap. Any day it succeeds in doing so, the policy is considered to be a success.

The strongest military component of our present policy -- financing the UNPROFOR mission in Bosnia and creating "safe areas" to be protected by UNPROFOR -- was considered to be mere window dressing from the start. The "safe areas" plan was part of the May 1993 Joint Action Program, which was pieced together for the sole purpose of preserving the appearance of allied unity after Secretary Christopher's disastrous trip to Europe earlier that month. It was widely acknowledged at the time that UN members would never provide the troops or rules of engagement necessary to protect the "safe areas." In a sign of the policy's limitations, the use of the term "safe area" as opposed to "safe haven" was intentional, since the U.S. and its allies had no intention of repeating the response of Operation Provide Comfort in Iraq .

Even if UNPROFOR fulfilled its mandate, including actual protection of civilians in "safe areas," this would be a poor substitute for a coherent, effective policy for addressing Serbia's aggression against its weaker neighbor. But instead, UN troops sent to protect humanitarian relief efforts and the civilian population are concerned primarily with protecting themselves and actually offer the aggressor a shield against NATO air strikes. As a result, and as was evidenced last week, UN commanders have no credibility when threatening to use force to protect either the "safe areas" or themselves. With the UN, ironically, offering more protection to Serbian forces than to Bosnia's civilians, Serbian leaders remain committed to the war and their campaign of "ethnic cleansing" and see no utility in serious negotiations.

Yet the United States remains committed to this misplaced, hollow peacekeeping mission in the midst of a war where there is no peace to keep and to negotiations that, lacking the threat of force to support them, offer no hope of a peaceful resolution. In an implicit acknowledgment that this approach is futile, the U.S. and its Contact Group partners in recent months have pursued a course of appeasement with Belgrade. Some have described this as "the carrot and the carrot approach." Appeasement, however, as we all know well, never satiates and never yields sustainable peace. It merely whets the appetite of the aggressor and encourages and rewards more aggression.

In what may be a sign that the Administration has even given up hope that appeasement would work, U.S. policy now is focused on extending the non-existent cease-fire. This latest policy "shift" ignores the realities that Serbian forces remain committed to terrorizing Bosnia's civilians and conquering more territory and that, after three years of acquiescing to every Western initiative while the Serbs slowly swallowed still more land and killed still more civilians, the Bosnian Government may finally have concluded that it is better off relying on its poorly-equipped but better trained and organized army than the hollow words of Western diplomats.

Perhaps the greatest loss in terms of credibility has been to NATO. NATO was built on the credibility of its security commitments. When NATO threatened to back up UN resolutions with air strikes, that commitment had instant credibility. Tragically, the U.S. and its allies never truly intended to honor it. Blame has been placed on the "dual-key" arrangement with the UN, on individual UN commanders, on UN civilians, and on the UN Secretary General himself. And there is certainly enough blame to go around

Indeed, whoever came up with the concept that the UN and NATO must remain "impartial" and "neutral" in the face of aggression and genocide deserves special mention in the history books for coining new terms for appeasement.

But, ultimately, the buck stops in the NATO capitals. Primarily, it must stop here in Washington, which, until Bosnia, had been the unquestioned leader of the Alliance. The Administration usually cites allied resistance to its "preferred" policies as its excuse for not taking more forceful action. But if we were truly serious about using NATO air strikes to protect the "safe areas" and UN forces and were serious about enforcing the "no-fly" zone, that resistance would be overcome. It might take some heavy-handed "negotiating" with our allies and use up some precious political capital, but President Clinton could make it happen. Unfortunately, at two distinct moments when the allies appeared ready to follow, Washington failed to lead: when Secretary Christopher went to Europe in May 1993, and at the NATO summit in January 1994. Ironically, by the time of the NATO summit, traditional roles had been so reversed that it was the American president who was trying to talk the French out of threatening air strikes.

Present policy bodes ill not only for Bosnia and Croatia. By tolerating "ethnic cleansing" and aggression in Bosnia, we have encouraged the increasing persecution and repression of the ethnic Albanian majority in Kosovo, making an eventual explosion there all the more likely. Rising tensions in Kosovo threaten to spillover into Macedonia, where several hundred U.S. ground troops symbolize another "Potemkin" policy. The most immediate threats to Macedonia's stability and security are not Serbian ground troops pouring over the border, but instability in Kosovo, internal ethnic tensions, and the Greek embargo. U.S. policy toward Macedonia, however, forbids even sending an ambassador to Skopje.

The apparent consequences of present U.S. policy are, ironically, the very consequences the Clinton Administration insists that policy is intended to avoid: prolonging and widening the war and drawing in U.S. ground troops. These apparent consequences will become reality unless the U.S. stops pretending that Bosnia does not matter and that it will just go away and, instead, develops a sensible, long-term strategy that will bring a sustainable peace to the region.

As this Commission has made clear, Bosnia does matter. And, as we have seen time and time again, Bosnia is not going to go away. The Bosnians remain committed to fighting for their homes and their country, and Serbian forces will continue their war of aggression and genocide until they are met with force.

Rather than seeking to appease war criminals and prolonging the suffering, we should adopt the one sensible course of action that has been evident from the early days of the war in Bosnia. It is a four-point plan that responds to the realities on the ground:

1. The arms embargo against Bosnia must be lifted. Serbian forces will continue to attack innocent civilians until those civilians are protected, and the rapidly improving Bosnian Army has the right and responsibility to do so. Facilitating a balance of power on the ground would also strengthen the Bosnians' negotiating position and make a negotiated settlement more likely and sustainable. Since Bosnia is the victim of aggression and genocide, the Security Council has no right under the Charter to impose an embargo and, thereby, restrict Bosnia's inherent right to self defense. If the U.S. would lead by terminating its embargo, dozens of other nations would immediately follow. Recognizing this, Congressional efforts to end the U.S. embargo have offered the only real prospects for a more sensible and just U.S. policy.

2. NATO should fulfill its commitment to protect the so-called "safe areas" and honor other valid UN resolutions by stopping Serbia's ongoing invasion of Bosnia. Rather than using "pinprick" air strikes in a tit-for-tat response, NATO should be prepared to use robust air strikes to destroy Serbian heavy weapons

and Serbian supply lines, including border crossing points from Serbia. NATO should also enforce the "no-fly" zone in full. And the "dual-key" arrangement should be discarded.

3. UN forces should be reconfigured and re-deployed so that they can fulfill their original mission and defend themselves, or they should be withdrawn. If U.S. ground troops are to be used to protect withdrawing UN troops, NATO air power should be used preemptively -- and forcefully -- to limit the ability of Serbian forces to threaten or interfere with such a withdrawal.

4. Negotiations should exclude ratifying the forcible partition of any UN-member state. Legitimate concerns on the part of ethnic minorities and their legitimate representatives should be addressed through constitutional protections of their rights and arrangements for political and cultural autonomy.

To some, this may sound like a "war strategy" that would "Americanize" the war. In fact, if one examines the political and military realities of the war, it is a peace strategy that would "Bosnianize" the war by allowing Bosnia to take on the primary responsibility for its own defense. Present U.S. policy is, in reality, a war strategy that would Americanize the war. It is already prolonging and widening the war and will, by the Administration's own admission, lead to the introduction of tens of thousands of U.S. ground troops into an unstable and hostile environment.

When I joined the Balkan Conflict Group at the State Department in the Spring of 1993, I was told not to worry about Bosnia because Bosnia was in the "endgame." I was told that again on the day that I resigned. A State Department official told me that again just two weeks ago. Bosnia is not in the endgame. In fact, we may be in the early stages of a Balkan conflict with enormous repercussions far beyond the region. Vital U.S. interests are at stake and dangerous precedents are being set. But it is not too late. Administration officials will complain that their options are limited and that they are making the best of a terrible situation. In fact, their options are the same as when they came into office -- and when U.S. policy was to lift the embargo -- but the Administration's policies are contributing to a rapidly deteriorating situation on the ground.

For the past year, I have been part of two organizations that are vitally committed to changing U.S. policy and that continue to grow stronger. Under the leadership of Mort Abramowitz, Zbigniew Brzezinski, Frank Carlucci, Hodding Carter, Max Kampelman, and Jeane Kirkpatrick, the Action Council for Peace in the Balkans is pursuing an end to the arms embargo and more credible U.S. policies that will lead to a just and sustainable peace. In the last year, thirty four prominent Americans have joined the Council's original Steering Committee, and the bi-partisan list is still growing. The American Committee to Save Bosnia's grassroots network shares their goals. Grassroots organizations across the country -- from Alaska to Florida -- have joined the Committee, which has tripled in size since its creation just fifteen months ago. The Administration may have grown tired of Bosnia, but thinking people in Congress and the foreign policy establishment, and across the country have only grown tired of the failed U.S. policies of the Bush and Clinton Administrations.

Distinguished Commissioners, I will conclude by urging you to make every effort to ensure that the Smith and Dole-Lieberman bills to end the U.S. arms embargo on Bosnia are passed and that the United States finally demonstrates the necessary leadership and pursues a more sensible, rational course of action in the Balkans.

Thank you, again, for the opportunity to appear before you today.

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STATEMENT BY

DR. PETAR SARCEVIC
AMBASSADOR TO THE UNITED STATES
FROM THE REPUBLIC OF CROATIA

Submitted for the record of the hearing of the
Commission on Security and Cooperation in Europe
on "The UN, NATO and Former Yugoslavia"
held on April 6, 1995

Following the vicious acts of aggression by the Serb-led Yugoslav Army and Serbian-Montenegrin paramilitaries against the Republic of Croatia during the summer and fall 1991, the international community launched several diplomatic initiatives to end the war. The most notable peace initiative became known as the "Vance Plan", named after the United Nations negotiator, the former US Secretary of State, Mr. Cyrus Vance.

The Vance Plan, issued on December 11, 1991, and approved by United Nations Security Council resolutions 724 and 740, contained the following mandate: the cessation of hostilities and demilitarization of regions where military conflict had taken place; the withdrawal of the Yugoslav Army from Croatia; the maintenance of public order by supervision of local police already in place; the protection of minorities in these areas; the placement of military observers along Croatia's border with Bosnia-Hercegovina; and the facilitation of the return of displaced persons and refugees. The Vance Plan established the United Nations Protected Areas (UNPAs). Originally, UNPAs consisted of three areas in Croatia: Eastern Slavonia, Western Slavonia and "Krajina" (the latter separated into UNPA Sectors North and South). At the same time that the UNPAs were established, the UN Security Council created the United Nations Protection Force (UNPROFOR), a combined body composed of military units from 32 countries, and entrusted it with carrying out the provisions of the Vance Plan. The original mandate of UNPROFOR in Croatia was 12 months.

In over three years that have passed since that time, UNPROFOR has quite simply failed to fulfill its mandate. Although the Yugoslav Army has departed, demilitarization has not occurred, and UNPROFOR has failed to end -- let alone reverse -- the despicable policies of ethnic cleansing in the occupied areas by the proxy forces of the former JNA and rebel Croatian Serbs. According to the 1991 census, there were 261,942 non-Serbs in the UNPAs.

Since the arrival of UNPROFOR, 39,000 have been forced to flee, 347 have been killed, 26 women have been raped, and 1618 persons tortured.

This failure by UNPROFOR has resulted and continues to result in real human costs. To this day, the victims who were forcibly removed from occupied territories have not been able to return to their homes and villages. Thus, through ineffective policies and inaction, UNPROFOR has prolonged the human suffering. Furthermore, due to such inaction, the situation tended dangerously toward rewarding the aggressors by tacit validation of their occupation of Croatian territories. Even more horrific, the territories which UNPROFOR was to demilitarize had become launching points by the Croatian Serbs to assist, at will, the Bosnian Serbs in carrying out further terror in neighboring Bosnia-Hercegovina. This policy culminated in the Bosnian and Croatian Serb joint military attacks on the Bihać pocket, an area which the United Nations had declared a safe area. The international media continue to report these outrageous facts; yet the United Nations still sits idly by.

Since the arrival of the United Nations Protection Force in Croatia, my government has acceded to repeated UN assurances, and renewed the mandate for the Protection Force a total of seven times. Given the lack of progress in executing the principles of the Vance Plan and the use of the UNPAs by rebel Croatian Serbs to fuel offensives in Bosnia-Hercegovina, the question had become "protection zones for whom?"

Croatia refused to renew the destructive mandate an eighth time and insisted on a rededication to the original principles of the UN presence in Croatia, including the return of all displaced persons to their homes with an end to the ethnic cleansing. Most importantly, Croatia demanded an end to the stalemate which was being exploited by rebel Croatian Serbs to cement their grip on nearly one-fourth of our country. My government insisted, and continues to insist, on full and peaceful reintegration of the occupied territories into the legal and economic system of the Republic of Croatia.

Croatia desires peace in the region. Croatia wishes to enhance its human and economic capacity and join the community of nations as a full trading partner, a goal with which the UN would certainly agree. Unfortunately, UNPROFOR has not been effectively contributing to such ends. Faced with a choice of renewing the UNPROFOR mandate an eighth time or choosing another path, my government chose to move in a new direction, culminating in a new UN mandate under the UNCRO, the UN Confidence Restoration Operation in Croatia.

We hope the international community has truly embarked on a new, rededicated program for peace through the UNCRO in Croatia. The new UN Security Council mandate strongly reaffirms Croatia's territorial integrity and sovereignty. We believe such a formulation will spur the rebel Croatian Serbs towards negotiations on peaceful reintegration. The UN must aggressively move to create the environment in which all displaced persons may return to their homes. No one wants to see these goals achieved through renewed fighting. We hope

the UN will take the steps necessary to effectively establish peace in Croatia and elsewhere in the region.

Enclosures:

1. Letter dated 12 January 1995 from the President of the Republic of Croatia to the United Nations Secretary-General, A/50/64, S/1995/28 (5 pp.).

2. Letter dated 22 March 1995 from the President of the Republic of Croatia to the United Nations Secretary-General, A/50/118, S/1995/221 (3 pp.).

3. "United Nations Confidence Restoration Operation in Croatia", Statement by Permanent Representative of the Republic of Croatia to the United Nations, dated 31 March 1995 (5 pp.).

PERMANENT MISSION OF THE REPUBLIC OF CROATIA
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SECURITY COUNCIL
3512th meeting

"UNITED NATIONS CONFIDENCE RESTORATION OPERATION IN CROATIA"

Statement by Dr. Mario Nobilo
Permanent Representative of the Republic of Croatia
to the United Nations
New York, 31 March 1995

Mr. President:

As the Council decides at the request of my Government to end the UNPROFOR mandate in Croatia effective 17:00 hours New York time, my delegation should like, most of all, to extend its deep gratitude to all Member States that participated in UNPROFOR operations in Croatia, to thousands of brave young men and women from around the world who saved and improved many innocent lives in Croatia. Too many of these young men and women have lost their lives, especially over the past few weeks, in serving the citizens of Croatia honorably. Their sacrifice will always be remembered by my Government and the people of Croatia.

We should also like to reflect both on the gains and the shortcomings of the UNPROFOR operation. In evaluating UNPROFOR it is important to distinguish between its role and the outcome of its presence in Croatia. It's role has been positive, but its mission has fallen short.

By its presence in Croatia over the past three years, UNPROFOR has contributed positively by keeping relative peace in Croatia, and has given the international community time to establish a political framework and binding legal decisions that will assist in reintegrating the occupied territories and its residents into Croatia peacefully, consistent with Croatia's sovereignty and territorial integrity.

The relative peace has enabled the international community to consider more closely the origins and consequences of the war in Croatia. As a result, the international community has passed binding decisions that effectively recognized Croatia's international borders by declaring that the United Nations protected areas (UNPAs) are an integral part of Croatia, in Security Council resolution 815 (1993);

that recognized Croatia's sovereignty over Serb-controlled areas in practical terms by demanding that all international trade in respect of these areas needs prior approval from the Croatian Government, in paragraph 12 of resolution 820 (1993);

that recognized the responsibility of the Federal Republic of Yugoslavia (Serbia and Montenegro) for the costly situation in Croatia by linking the international rehabilitation of the Federal Republic of Yugoslavia (Serbia and Montenegro) to the developments in the occupied territories of Croatia, in resolution 871 (1993);

and furthermore, that declared that the Federal Republic of Yugoslavia (Serbia and Montenegro) must cease its illegal hold on the territories it occupies in Croatia, in General Assembly resolution 49/43.

The UNPROFOR mission has fallen short, not because of UNPROFOR itself, but because of the uncompromising resistance of the local Croatian Serbs and Belgrade. Consequently, my Government had to make a decision as it did. Our objective now should be to define a new arrangement that would limit the costs of the Serbian intransigence in the occupied territories of Croatia, and the region in general.

Mr. President:

Following the adoption of the draft resolution as amended today, we will proceed to define the operational aspects of a new United Nations arrangement for Croatia. As I mentioned earlier, our objectives in defining the new arrangement should be focused on mitigating and overcoming the effects of local Croatian Serb intransigence and protecting the sovereign rights of Croatia that have been clearly established by this Chamber and by the General Assembly previously, and strongly reaffirmed in the draft resolution the Council is about to adopt.

In this regard, I should like to emphasize the letter from my President of March 22 addressed to the Secretary-General regarding the so-called Vance plan. The Vance plan has in many critical ways become an obstacle to progress in Croatia. We dispute the integral Vance plan as a legal basis for the new arrangement, since its legal ambiguity has inspired the Croatian Serb intransigence.

The Vance plan has become obsolete in the political and legal sense. It was introduced prior to Croatia becoming a Member State. Moreover, the Security Council and General Assembly resolutions mentioned earlier have become the relevant legal and political framework for a solution to the occupied territories in Croatia. Croatia's sovereign rights can not be compromised by the outdated Vance plan definition of concerned parties.

Nevertheless, Croatia remains committed to the unfulfilled humanitarian elements of the Vance plan. We will continue to promote the spirit of cooperation and goodwill of the plan, but the Croatian Government must emphasize that it has an exclusive right of veto in the upcoming negotiations on the operational definitions of the new arrangement on its sovereign territory. The international community and the Secretariat cannot deny this right, granted to Croatia by the Charter of the United Nations and the relevant resolutions.

Mr. President:

By accepting a new United Nations operation in Croatia, my Government is reaffirming its constructive role in the region, with a policy focused on peaceful settlement of outstanding problems. This does not mean that Croatia will accept the shortcomings in the new arrangement implied in the March 22 report of the Secretary-General. Croatia expects that the new report by the Secretary-General will define the operational aspects of the new arrangement, in substance and tone, respecting the sovereign rights of Croatia and the resolutions of this Chamber and the General Assembly, while creating active and efficient operational mechanisms.

During the work on the new arrangement and the present draft resolution that will be adopted today, one of the Member States, regretfully, expressed low tolerance for the legitimate interests of Croatia, a Member State, and instead directed efforts into forms of short term political pragmatism at the expense of legal and operative logic of relevant U.N. documents. This development puts my Government in a position to begin questioning the role of that Member State in the peace process -- positive until recently. Yesterday's official and media reports that confirmed my Government's earlier information about the transfer of "Yugoslav Army" personnel and matériel into eastern Croatia adds to our concerns. My Government sincerely hopes that the consequent misgivings will come to naught and that the upcoming period during which the operational aspects of the new arrangement will be defined, will show that the international community stands united in protecting the principles of sovereignty and territorial integrity of a U.N. Member State.

Mr. President:

The name of the new operation itself, the United Nations Confidence Restoration Operation in Croatia, implies that this will not be merely a static peace-keeping operation, but an active, task-

specific operation. The billions of dollars spent on a static UNPROFOR operation will be turned into a less costly active arrangement, with emphasis on civilian experts and specialists and lesser reliance on infantry soldiers alone. The tasks will focus on restoration of cooperation, on redirection of economic relationships, on reintegration of people by promoting confidence-building programs, on prevention of foreign interference by controlling relevant international borders of Croatia, and on normalization of relations between States in the region.

The success of this operation will be measured by the effectiveness of the border control mechanisms, as mandated in paragraph 3(d), and by implementation of paragraph 12 of resolution 820 (1993), as affirmed in preambular paragraph 4. Without effective deterrence of military support from Serbia and Montenegro and redirection of international trade for the occupied territories of Croatia from Belgrade to Zagreb, the new operation will also fall short.

If these two aspects of the new operation are complemented by successful implementation of confidence building measures outlined in resolutions 871 (1993) and 947 (1994), by timely implementation of the economic agreement of 2 December 1994, and by creating new confidence-building programs, it may be possible to significantly change the present situation in Croatia by the time the mandate of the new arrangement would expire, and avoid the eventual possibility of war. Confidence-building measures alone, however, will not bring us closer to peace in Croatia.

Mr. President:

The new arrangement will require the number of international troops presently in Croatia to be significantly scaled-back. Some troops will have to leave Croatia and others may be relocated elsewhere in the region.

My Government has expressed its view -- which is entirely justified from the point of view of operation efficiency and sovereign rights -- that it should have some say about the structure of the new peace-keeping force on its territory. There have been many comments regarding this position of my Government. Some have been negative -- implying imposition of unacceptable criteria for selection.

My Government's motivation on this issue concerns the problem of illegal and unprofessional activity of some UNPROFOR units that can not be described other than criminal. This has been a serious problem in some instances and has caused a lot of consternation in Croatia's public opinion, thus harming the image and lessening the potential of the present peace-keeping operation.

This we believe, also harms the image and potential of the United Nations in the long run. Therefore, it is also in the interest of this organization to address these problems in regard to the operation in Croatia and all others. Croatia will continue to insist on this element, alone, as we work with the Secretariat on finding the appropriate structure for the new operation.

Mr. President:

My Government welcomes the draft resolution, as amended today, that not only recognizes Croatia's sovereignty over its occupied territories and defines its international borders, but calls for control and demarcation of those borders. The draft resolution gives the United Nations ample legal ground to fully control the relevant international borders of Croatia.

We attach utmost importance to paragraph 3(d), which should be thoroughly planned and effectively executed. We firmly believe that a peaceful settlement in Croatia is only possible if this paragraph is strictly implemented. This border mechanism can be made effective by undertaking measures beyond those expressed in the Vance plan alone and by imposing punitive measures against violators in the

form of sanctions. We should take note in this regard that the Council has already established in resolution 871 (1993) that the sanctions regime imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) can be linked to the developments in the occupied territories of Croatia.

Croatia especially welcomes the operative paragraph 5 of the draft resolution that clearly states that the final political solution in regard to the rights of the Croatian Serb minority, whatever form it may take, must be consistent with the territorial integrity and sovereignty of Croatia. This paragraph, as well as preambular paragraphs 3 and 4, in no uncertain terms confirm and support the territorial integrity of Croatia in its internationally recognized borders. We sincerely hope that both, Knin and Belgrade, will understand this message and finally accept the only possible way the solution to the occupied territories can be achieved; for Belgrade through recognition of Croatia, and for Knin through peaceful reintegration of the occupied territories into the legal and administrative system of Croatia.

We should also like to emphasize my Government's satisfaction that the Council came to support our demands that the name of the operation should confirm that the new operation will be carried out in its entirety on the territory of Croatia. The name of the new arrangement -- the United Nations Confidence Restoration Operation in Croatia -- meets the demands of Croatia's Parliament and my Government. Furthermore, for my Government, the acronym UNCRO cannot mean anything but United Nations Croatia.

Mr. President:

If there were no rule that a host country cannot cosponsor resolutions regarding operations on its own territory, my delegation would consider co-sponsoring the draft resolution as amended today, because of its political significance: it firmly and indisputably confirms the sovereignty and territorial integrity of Croatia and clearly states that the new operation will be carried out in its entirety on Croatian soil. This does not mean that we are satisfied with all parts of the resolution. On the contrary, my delegation has already expressed its reservations in regard to the wording in some paragraphs, due to lack of clarity and the way some prior resolutions are interpreted. We are especially concerned that the resolution does not give enough consideration to the imperative right of hundreds of thousands displaced persons and refugees to return to their homes. We hope that the upcoming report of the Secretary-general will mitigate these concerns.

Finally, we should like to express our expectation that the new arrangement will be successful, because, unlike the case of UNPROFOR, it will have a precise political foundation. We hope that the mistakes of UNPROFOR will not be repeated and that UNCRO will in a reasonable time achieve its goals of border control, confidence-building and reintegration of the occupied territories and its impoverished people into Croatia.

Thank you, Mr. President.

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GENERAL ASSEMBLY
Fiftieth session
Item 92 of the preliminary list*
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 22 March 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 22 March 1995 from the President of the Republic of Croatia, Dr. Franjo Tudjman, addressed to you.

I would kindly request your assistance in distributing this letter and its annex as a document of the fiftieth session of the General Assembly under item 92 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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A/50/118
S/1995/221
English
Page 2

ANNEX

Letter dated 22 March 1995 from the President of Croatia addressed to the Secretary-General

I would like to state the position of the Republic of Croatia with regard to the Vance plan (S/23280, annex III) for Croatia of 1991.

As we are both aware, the Vance plan has fulfilled but one small part of its goals: apart from the - at least formal - withdrawal of the former JNA forces from the territory of Croatia, nothing else has been achieved: the heavy weapons of the "Serbian Territorial Defence Forces" are not kept under United Nations control in storage depots; United Nations Protected Areas (UNPAs) have not been demilitarized, nor have the paramilitary units within them been disbanded; the human rights of members of the non-Serbian population within the UNPAs are being constantly violated; not a single refugee has returned home, to the contrary - as you are aware - some 600 Croats and other non-Serbs have been killed and 12,000 forcibly displaced from UNPAs while under United Nations Protection Force (UNPROFOR) supervision.

I would like to emphasize that the Vance plan was an interim arrangement; it was to remain in force "in certain areas of Croatia" until an "overall settlement" or a "political solution" was found and the European Community came up with a viable peace plan. The Republic of Croatia has on many occasions reiterated that - following Security Council resolutions 815 (1993), 871 (1993), and 947 (1994), and General Assembly resolution 49/43 - the solution has clearly been defined: the negotiations on the conclusion of the conflict can take place only on the basis of respect for the territorial and legal framework of the Republic of Croatia.

The Vance plan has been overtaken by the developments on the ground. The introduction of "pink zones" (to which the Republic of Croatia has, upon your own assessment (S/24188), agreed voluntarily), the emergence of "blue zones" after the Zagreb Agreement of 29 March 1994, and the Economic Agreement have altered the overall framework for the "solution", and made the Vance plan largely irrelevant. In our view, these developments and the present situation have even rendered the Vance plan an obstacle for earnest negotiations within the Republic of Croatia.

General Assembly resolution 49/43 has determined a generic term for all of the territory of the Republic of Croatia that is not under effective control of the Croatian Government: occupied territories of Croatia. The use of the term "United Nations Protected Areas" cannot be justified any more. The "political solution" is not pending; the only aspect to be decided upon is how the occupied territories shall be reincorporated into the political and legal system of the Republic of Croatia. For Croatia, only the positive, and so far unfulfilled elements of the Vance plan and other agreements should remain as a mechanism for peace. But considering the fact that the UNPROFOR mission is withdrawing and its mandate terminating, the vehicle that launched the operation and its terminology cannot remain behind.

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Within this in mind, I have the honour to inform you that the Republic of Croatia shall continue to honour the basic principles of the Vance plan, but finds it cannot serve as a legal or political basis for a new peace-keeping mission that is about to be launched in Croatia, and subsequently considers it to be null and void.

On the basis of the above, the Republic of Croatia hereby considers that our acceptance of the Vance plan, which was transmitted to the United Nations in my letter of 6 February 1992 (S/23592, annex I), is no longer binding.

(Signed) Dr. Franjo TUDJMAN
President of the Republic of Croatia

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THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 12 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the letter dated 12 January 1995 from the President of the Republic of Croatia, Dr. Franjo Tudjman, addressed to you.

I would kindly request your assistance in distributing the present letter and its annex as a document of the fiftieth session of the General Assembly, under the agenda item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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ANNEX

Letter dated 12 January 1995 from the President of the Republic of Croatia to the Secretary-General

The ongoing crisis in south-eastern Europe, started by the aggression of the Yugoslav Communist Army and of Serbia and Montenegro, following the dissolution of the former Socialist Federal Republic of Yugoslavia, against Croatia and Bosnia and Herzegovina, has become a grave security threat to the whole region. In its progress the crisis has disrupted international peace and paralysed numerous international forums: the United Nations, the European Union, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization, and so forth. The unspeakable crimes committed against humanity and the great suffering of millions of people have been putting an ever-increasing strain on international institutions and humanitarian organizations.

The international community, including the United Nations, has been involved in attempts to resolve the crisis from its outbreak. The Vance Plan and the mission of the United Nations Protection Force (UNPROFOR) had positive effects on the situation in the beginning. UNPROFOR and the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as other humanitarian organizations, have made significant contributions in respect of humanitarian needs in Croatia. UNPROFOR played an important role in the withdrawal of the Yugoslav People's Army (JNA) from Croatia (although on that occasion JNA left its armament to the local Serb insurgents). UNPROFOR's arrival signified an end to large-scale hostilities in Croatia. During its engagement more than 50 of its members have lost their lives and more than 500 have been wounded while valiantly carrying out their duties in Croatia. Croatia will always remain grateful and will remember their ultimate sacrifice and the loss to their families.

Despite its endeavours, UNPROFOR has been unable to implement the most important operative provisions of the Vance Plan and subsequent Security Council resolutions, including the latest, resolution 947 (1994). The key provisions of the Vance Plan (resolution 740 (1992), preceded by resolution 721 (1991)) included: the demilitarization of the United Nations Protected Areas (UNPAs) (i.e. disarming and disbanding of rebel Serb units); the establishment of the local police force (with only side-arms) in a proportion reflecting the national composition of the population which lived there before the hostilities, under civilian United Nations police monitors; the deployment of military observers in parts of Bosnia and Herzegovina adjacent to Croatia; and the return of displaced persons to their homes. None of these provisions have been implemented. Moreover, a critically important element of the peace process, the control of Croatia's international border, provided for by resolution 769 (1992), has not been enforced.

As the previous mandate of UNPROFOR was about to expire, you came to the conclusion, in your report to the Security Council of 17 September 1994 (S/1994/1067), that the Vance Plan and all subsequent resolutions had not been implemented because of the opposition of rebel Serbs in UNPAs, with the

exception that (notwithstanding frequent violations) armed hostilities had ceased. You further concluded that UNPROFOR was in no position to discharge its responsibilities and meet the demands justifiably made by Croatia, because it lacked the required forces and resources, and that such a stalemate contributed to sustaining the unsatisfactory status quo.

The situation has not changed at all since then. The responsibility still rests with the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and its proxies in the occupied territories of Croatia. The Belgrade Government and the local Serb authorities in Knin have accepted only some minor provisions of the Security Council resolutions. They continue to reject any decisive measures outlined by the Security Council and the General Assembly aimed at reintegrating the occupied territories into Croatia. On the contrary, the process of integrating the occupied territories of Croatia into the political, military, legal and administrative system of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues despite General Assembly resolution 49/43 of 9 December 1994 declaring that the UNPAs are de facto occupied territories of the Republic of Croatia.

In the two years of the presence of UNPROFOR in Croatia, the process of ethnic cleansing of the Croats and non-Serbs in the occupied territories has been completed. Before the arrival of UNPROFOR, Serb insurgents, aided by JNA, expelled (ethnically cleansed) from the occupied Territories 390,000 non-Serb residents (Croats, Hungarians, Ruthenians, Czechs, Slovaks, etc.) and killed many thousands at the same time. Some 600 Croats have been killed and 12,000 of them forcefully expelled since UNPROFOR has been entrusted with protection of these territories. Plunder of Croatian wealth and natural resources, as well as destruction of property, have continued. Moreover, the occupied territories of Croatia have been used for constant attacks on other parts of Croatia and even Bosnia and Herzegovina. The international community has recently been aghast and scandalized when the United Nations Safe Area of Bihać in neighbouring Bosnia and Herzegovina has been, unchallenged, attacked by Serb insurgents from UNPAs. These attacks by the UNPA Serbian forces continue even today, despite the general cease-fire agreement in Bosnia and Herzegovina, in gross violation of all international norms.

Croatia has demonstrated and exercised the highest degree of goodwill, cooperation and restraint during the past two difficult years. Croatia has even accepted considerable modifications to the Vance Plan, such as the establishment of the "pink zones" and the "blue lines", the latter being an element of the Zagreb Cease-fire Agreement of 29 March 1994, which has been grossly violated, most blatantly so through the coordinated offensive and aggression on Bihać by the Serbs from the occupied territories of Croatia.

The Economic Agreements signed on 2 December 1994, which have to be viewed as yet another clear proof of Croatia's full readiness to proceed with its programme of peaceful reintegration of the occupied territories, are not being implemented except with respect to the opening of the highway in UNPA West, but even that has not been done pursuant to the Agreement. Less than one tenth of these Agreements have been implemented so far, with rather slim chances for real further progress, because local Serbs are interpreting the resolutions and

decisions of the United Nations, and the Economic Agreements, as allowing them to secede from Croatia.

Croatia finds the present situation in the occupied territories wholly unacceptable. Moreover, given the present inefficient UNPROFOR mission, Croatia finds the continued presence of UNPROFOR in the occupied territories to be significantly counterproductive to the peace process. The Serb intransigence and UNPROFOR's reserve are de facto allowing and promoting occupation of parts of Croatia's territory. The "freezing" of a negative status quo is unacceptable to the Government of Croatia.

The Parliament of the Republic of Croatia, by its resolution of 23 September 1994, decided that the mandate of UNPROFOR in Croatia would be conditionally extended for a period of 100 days, following its expiration on 30 September, only if specific steps were undertaken and results achieved during that period.

On the basis of the aforementioned and Croatia's overall experience during the past two years, I can only conclude that, although UNPROFOR has played an important role in stopping violence and major conflicts in Croatia, it is an indisputable fact that the present character of the UNPROFOR mission does not provide conditions necessary for establishing lasting peace and order in the Republic of Croatia, a sovereign State Member of the United Nations.

Therefore, as the President of the Republic of Croatia, I have the honour to inform you that the UNPROFOR mandate is hereby terminated effective 31 March 1995 in accordance with Security Council resolution 947 (1994).

The Government of Croatia will immediately contact your Special Representative, Mr. Y. Akashi, and will discuss with him all the questions regarding the withdrawal of UNPROFOR forces. We hope it will be accomplished in a dignified, proper and efficient way till the end of the mandate or no later than three months after the expiry of the mandate.

Croatia is also prepared to conclude with the United Nations an agreement on continued logistic assistance and support for UNPROFOR operations in the Republic of Bosnia and Herzegovina, including the continued and uninterrupted functioning of the UNPROFOR headquarters in Zagreb. In both aspects the United Nations can fully count and rely on the continued support and assistance of the appropriate Croatian governmental institutions.

The termination of the UNPROFOR mandate will not put an end to the negotiations; on the contrary, it should provide a new impetus for their more efficient outcome. The Republic of Croatia remains committed to its long-standing policy of peaceful reintegration of its occupied territories and continues to offer to all Serbs in Croatia cultural autonomy and the highest level of local autonomy in the counties in which the Serbs constituted the majority according to the pre-war census. Full respect of all human rights, and especially minority rights, can be observed and monitored by appropriate representatives of the international community.

Croatia is also prepared to intensify the negotiating process with the Belgrade authorities leading to mutual recognition within internationally recognized borders. It is, however, our most determined demand that the sanctions against the Belgrade regime and Bosnian Serbs should not be suspended before the recognition of Croatia within its internationally recognized borders by Belgrade, as a prerequisite for the peaceful reintegration of occupied parts of Croatia.

Should the negotiations with local Serb authorities be successful, Croatia is willing to reopen the discussion on establishing appropriate implementation and international monitoring of confidence-building mechanisms.

The Republic of Croatia remains deeply grateful and indebted to the thousands of UNPROFOR men and women who have served honourably in Croatia, to you, to the Security Council, to the many UNPROFOR troop-contributing countries and to all Member States that have financed and supported the present peace-keeping operation in Croatia.

Our decision should not be misunderstood under any circumstances. Croatia remains fully committed to the interests of the international community focused on peaceful establishment of a new international order in the region, and to its responsibility therein. The international community should continue to count on Croatia in this regard.

(Signed) Franjo TUDJMAN
President of the Republic of Croatia

Republic of Bosnia and Herzegovina
Permanent Mission to the United Nations
New York

April 5, 1995

The Honorable Christopher Smith
United States Representative
The House of Representatives of
the United States of America
Washington, D. C. 20515

Dear Congressman Smith,

In an effort to reverse the deteriorating situation in the Republic of Bosnia and Herzegovina, I would like to take this opportunity and highlight the following considerations towards making UN and NATO more effective in fulfilling their mandate in the Republic of Bosnia and Herzegovina.

We have always proposed that the UN and NATO missions in the Republic of Bosnia and Herzegovina could have been more responsive to the need for peacemaking in our country. Nonetheless, even under the current mandate properly and faithfully employed, we believe that UNPROFOR/NATO could still contribute to improving the humanitarian situation, to deterring human rights abuses and attacks upon civilians, and to enhancing the environment for a durable peace settlement based on the acceptance of the five nation contact group peace plan. The current mandate leaves substantial room for a more assertive and effective mission by UNPROFOR and relevant regional organizations, including NATO, then is currently being implemented.

Over the last few months, the Contact Group emphasized its efforts in gaining the recognition of the Republic of Bosnia and Herzegovina and the Republic of Croatia by Serbia and Montenegro, as a first essential step to reverse the Belgrade regime's aggression and genocide against its neighbors. It appears quite clear now that Milosevic will not recognize Bosnia and Herzegovina, despite the continuing efforts of the Contact Group. There appears to be growing consensus that, therefore, we should revert to a longer term but, ultimately more fruitful policy. This should include:

- Continued isolation and increased pressure upon Karadzic, including efforts to lift the arms embargo and using better the capacity of NATO/UNPROFOR;
- "Putting Milosevic on ice", until such time that he is not so self confident and until he becomes more reasonable;
- Only extending the current regime of the easing of sanctions with respect to Serbia if Milosevic agrees to real border monitoring on the borders;
- UNPROFOR/NATO in Bosnia and Herzegovina need to be made more responsive, which will include :

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1. Resolute protection of the "safe areas" in accordance with Security Council resolutions 824 (1993) and 836 (1993) and remaining open to options to strengthen their implementation and the defense of the safe areas;

2. The "lifeline" to Sarajevo, the "Blue Route" must be and remain open, as is consistent with UN mandate to keep this "life line" open regardless of Serbian agreement thereto;

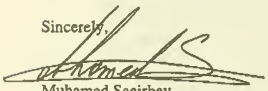
3. Removal of the illegal Serbian check points on the key access road form Sarajevo to Sarajevo airport;

4. More effective response to Serbian provocations, including of UNPROFOR itself;

5. Addressing the problem of Serbian anti aircraft systems that have been deployed in the Republic of Bosnia and Herzegovina. The Serbian anti-aircraft systems can only be directed at UNPROFOR and NATO. If not removed or neutralized, UNPROFOR and NATO will lose control of the skies, face increasing dangers to their operations, and suffer significant erosion to their military and political influence over the situation. (The current mandate would allow UNPROFOR/NATO to issue an ultimatum for the anti-aircraft systems to be removed, or for the necessary measures to neutralize their weapons). This is the most serious setback in the last year to the peace process and the overall humanitarian, military, and political situation.

As often stated, we continue to express our greatest appreciation for your efforts to bring peace and justice to our country. Your efforts to end the unjust arms embargo are a lighting rod in the debate, not only to help us defend ourselves, but also to promote the policies of peace and justice. Bosnia and Herzegovina's significance is not merely one of human rights. It is a place where American strategic interests are at stake, including international peace and security, regional stability, the transition of ex-Communist nations to democracy and the free market system, the strengthening of the Western community's bulwark against fascism and intolerance, and the promotion of moderate versus radical politics within the international community as a whole.

Sincerely,



Muhamed Sacirbey
Ambassador and Permanent Representative

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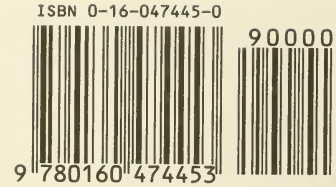
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